

CLOSED

**U.S. District Court**  
**Northern District of New York - Main Office (Syracuse) [NextGen CM/ECF Release 1.2**  
**(Revision 1.2)] (Syracuse)**  
**CRIMINAL DOCKET FOR CASE #: 5:95-cr-00101-NAM-1**  
**Internal Use Only**

Case title: USA v. Walker et al

Date Filed: 03/23/1995

Other court case numbers: 11-1056 2nd Circuit Court of Appeals Date Terminated: 02/12/1997

14-4735 2nd Circuit Court of Appeals

Related Case: [5:12-cv-00962-NAM](#)

Magistrate judge case number: 5:95-mj-00159

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Assigned to: Senior Judge Norman A.  
Mordue

Appeals court case numbers: 10-2963-cr  
2nd Circuit, 16-238 2nd Circuit Court of  
Appeals

**Defendant (1)****Tommy Walker, III*****TERMINATED: 02/26/1997****also known as*

Sealed Deft #1

represented by **Tommy Walker, III**

06328-052

DEVENS

FEDERAL MEDICAL CENTER

Inmate Mail/Parcels

P.O. BOX 879

AYER, MA 01432

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**Molly K. Corbett**Office of the Federal Public Defender -  
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Email: [molly.corbett@fd.org](mailto:molly.corbett@fd.org)**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Public Defender or**Community Defender Appointment**Bar Status: Active**Fee Status: waived\_2019*

**Oscar McKenzie , Jr.**

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Email: [omckenziejr@twcnny.rr.com](mailto:omckenziejr@twcnny.rr.com)**TERMINATED: 11/30/1995***Designation: Retained**Bar Status: **Removed2007Biennial****Fee Status: none***Salvatore J. Piemonte**

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Email: [sal@piemontelaw.com](mailto:sal@piemontelaw.com)**TERMINATED: 02/26/1997***Designation: CJA Appointment**Bar Status: **Suspend****Fee Status: none***Pending Counts**

21:848.F CONTINUING CRIMINAL ENTERPRISE; did knowingly engaged in a continuing criminal enterprise in concert with at least 5 or more other persons w/position of organizer, supervisor or manager in violation of Title 21 Section 848(a) and (c) and Title 18 Section 2 (1ss)

21:846=ND.F CONSPIRACY TO DISTRIBUTE NARCOTICS; did knowingly possessed w/intnet to distribute a schedule I and schedule II controlled substances in violation of Title 21 Section 841(a)(1) and Title 21 Section 846 (2ss)

**Disposition**

340 months on each of Counts 1, 16 and 18; a term of 120 months on Count 3; a term of 240 months on each of Counts 7, 8, 9 and 17; a term of 340 months on each of Counts 10, 11 and 12; and a term of 60 months on Count 26; all to be served concurrently for a total of 340 months. No sentence imposed on Count 2, as it is a lesser included offense of Count 1. Supervised Release 5 years on each of Counts 1, 10, 11, 12, 16 and 18; and a term of 3 years on each of Counts 3, 7, 8, 9, 17 and 26, all to be served concurrently, for a total of 5 years. Special Assessment \$750. No fine.

No sentence imposed.

18:922G.F UNLAWFUL TRANSPORT OF FIREARMS, ETC.; did knowingly unlawfully and intentionally possess a firearm transported in interstate commerce or foreign commerce in violation of Title 18 Section 922(g)(1) and Title 18 Section 924(a)(2) (3ss)

18:922G.F UNLAWFUL TRANSPORT OF FIREARMS, ETC.; did knowingly unlawfully and intentionally possess a firearm transported in interstate commerce or foreign commerce in violation of Title 18 Section 922(g)(1) and Title 18 Section 924(a)(2) (4ss-6ss)

21:841A=ND.F NARCOTICS - SELL, DISTRIBUTE, OR DISPENSE; did knowingly and intentionally possessed w/intent to distribute a schedule II controlled substance in violation of Title 21 Section 841(a)(1) and Title 18 Section 2 (7ss-12ss)

21:841A=ND.F NARCOTICS - SELL, DISTRIBUTE, OR DISPENSE; did knowingly and intentionally possessed w/intent to distribute a schedule II controlled substance in violation of Title 21 Section 841(a)(1) and Title 18 Section 2 (16ss-18ss)

18:924C.F VIOLENT CRIME/DRUGS /MACHINE GUN; did knowingly use, carry, aid, abet, counsel, command, induce, procure, and willfully cause the use and

340 months on each of Counts 1, 16 and 18; a term of 120 months on Count 3; a term of 240 months on each of Counts 7, 8, 9 and 17; a term of 340 months on each of Counts 10, 11 and 12; and a term of 60 months on Count 26; all to be served concurrently for a total of 340 months. No sentence imposed on Count 2, as it is a lesser included offense of Count 1. Supervised Release 5 years on each of Counts 1, 10, 11, 12, 16 and 18; and a term of 3 years on each of Counts 3, 7, 8, 9, 17 and 26, all to be served concurrently, for a total of 5 years. Special Assessment \$750. No fine.

Dismissed on Government motion at trial

340 months on each of Counts 1, 16 and 18; a term of 120 months on Count 3; a term of 240 months on each of Counts 7, 8, 9 and 17; a term of 340 months on each of Counts 10, 11 and 12; and a term of 60 months on Count 26; all to be served concurrently for a total of 340 months. No sentence imposed on Count 2, as it is a lesser included offense of Count 1. Supervised Release 5 years on each of Counts 1, 10, 11, 12, 16 and 18; and a term of 3 years on each of Counts 3, 7, 8, 9, 17 and 26, all to be served concurrently, for a total of 5 years. Special Assessment \$750. No fine.

Dismissed on Government motion at trial.

carrying of a firearm in violation of Title 18 Sections 924(c)(1) and (2) (19ss)

18:371.F CONSPIRACY TO DEFRAUD THE UNITED STATES; did knowingly and intentionally, combine, conspire, confederate and agree to possess and deal in firearms which had been purchased illegally and transported or shipped in interstate in violation of Title 18 Section 922(a)(1)(A). Make false statements in the purchase of firearms from a licensed dealer in violation of Title 18 Section 922(a)(6) (26ss)

21:853.F CRIMINAL FORFEITURES; in committing one or more of the felony offenses alleged in Counts 1,2 and 7 through 21 of this Indictment all interests in the above described property is forfeited to the US pursuant to Title 21 Section 853 (27ss)

### **Highest Offense Level (Opening)**

Felony

### **Terminated Counts**

21:846=CD.F CONTROLLED SUB-SELL,DISTRIBUTE,OR DISPENSE.

Defendants did knowingly and intentionally combine, conspire, confederate and agree together to commit the following offense against the United States: knowing, and intentional distribution of , and possession with intent to distribute, crack cocaine (cocaine base), cocaine, and methamphetamine, a schedule II controlled substances, in violation of Title 21, USC, Sec. 841(a)(1) (1)

21:846=ND.F NARCOTICS-SELL, DISTRIBUTE, OR DISPENSE - knowing and intentional distribution of, and possession w/intent to distribute, crack cocain, cocain, and methamphetamine,

340 months on each of Counts 1, 16 and 18; a term of 120 months on Count 3; a term of 240 months on each of Counts 7, 8, 9 and 17; a term of 340 months on each of Counts 10, 11 and 12; and a term of 60 months on Count 26; all to be served concurrently for a total of 340 months. No sentence imposed on Count 2, as it is a lesser included offense of Count 1. Supervised Release 5 years on each of Counts 1, 10, 11, 12, 16 and 18; and a term of 3 years on each of Counts 3, 7, 8, 9, 17 and 26, all to be served concurrently, for a total of 5 years. Special Assessment \$750. No fine.

Forfeiture of \$185,000.00 in satisfaction.

### **Disposition**

Dismissed

Dismissed

schedule II controlled substances, in violation of Title 21:841(a)(1) (1s)

21:841E=CD.F CONTROLLED SUB-SELL,DISTRIBUTE,OR DISPENSE.

Defendant knowingly, and intentionally possessed with intent to distribute methamphetamine, cocaine base (crack cocaine) all Schedule II controlled substances. In violation of Title 21, USC. Sec. 841(a)(1). (2-6)

Dismissed

21:841A=ND.F NARCOTICS-SELL, DISTRIBUTE, OR DISPENSE - (Ct. #2) on/about 11/2/94, knowingly and intentionally possessed w/intend to distribute methamphetamine in violation of Title 21:841(a)(1); (Ct. #3) on/about 11/9/94, knowingly and intentionally possessed w/intent to distribute crack cocaine in violation of Title 21:841(a)(1); (Ct. #4) on/about 11/9/94, knowingly and intentionally possessed w/intent to distribute crack cocaine in violation of Title 21:841(a)(1); (Ct. #5) on/about 11/15/94, knowingly and intentionally possessed w/intent to distribute crack cocaine in violation of Title 21:841(a)(1); (Ct. #6) on/about 11/15/94, knowingly and intentionally possessed w/intent to distribute methamphetamine in violation of Title 21:841(a)(1); (Ct. #7) on/about 12/27/94, knowingly and intentionally possessed w/intent to distribute crack cocaine in violation of Title 21:841(a)(1); (Ct. #8) on/about 3/21/95, knowingly and intentionally possessed w/intent to distribute crack cocaine in violation of Title 21:841(a)(1); (Ct. #9) on/about 3/21/95, knowingly and intentionally possessed w/intent to distribute cocaine in violation of Title 21:841(a)(1); (Ct. #10) on/about 3/21/95, knowingly and intentionally possessed w/intent to distribute crack cocaine in violation of Title 21:841(a)(1). (2s-10s)

Dismissed

18:922G.F FIREARMS. Defendant having been convicted of a crime punishable by a term of imprisonment exceeding one year,

Dismissed

that being his conviction for criminal possession of a weapon in the third degree (NYS Penal Law Sec. 265.02) did knowingly, unlawfully and intentionally possess firearms transported in interstate commerce, or foreign commerce. In violation of Title 18, USC, Sec. 922(g)(1), and Title 18, USC, Sec. 924(a)(2). (7-9)

18:922A.F FIREARMS. Defendant did knowingly and intentionally, combine , conspire, confederate and agree together to: Possess and deal in firearms which had been purchased illegally, and which had been transported or shipped in interstate or foreign commerce, In violation of Title 18, USC, Sec. 922(a)(1)(A). (10)

Dismissed

18:924C.F FIREARMS - knowingly use, carry, aid, abet, counsel, command, induce, procure, and willfully cause the use and carrying of a firearm in violation of Title 18:924(c)(1) and (2) (11s)

Dismissed

18:922G.F FIREARMS - (Ct. #15 on or about 10/7/94), (Ct. #16 on or about 11/1994), and (Ct. #17 on or about 11/1994) did knowingly, unlawfully and intentionally possess a firearm transported in interstate commerce or foreign commerce in violation of Title 18:922(g)(1); (15s-17s)

Dismissed

18:371.F CONSPIRACY TO DEFRAUD THE UNITED STATES - did knowingly and intentionally, combine, conspire, confederate to: possess and deal in firearms in violation of Title 18:371 (18s)

Dismissed

21:848.F CONTINUING CRIMINAL ENTERPRISE - did knowingly and intentionally engage in a continuing criminal enterprise with respect to positions of organizer, supervisor, and other positons of management, in violation of Title 21:848 (19s)

Dismissed

21:853.P OTHER DAPCA OFFENSES -  
by virtue of the commission, and the  
causing, aiding, abetting, counseling,  
commanding, inducing and procuring the  
commission, of the felony offenses  
charged in counts of this indictment any  
and all interest the said defts. have, in the  
above described property, is vested in the  
US and hereby forfeited to the US pursuant  
to Title 21:853  
(20s)

Dismissed

**Highest Offense Level (Terminated)**

Felony

**Complaints**

The defendant, having previously been  
convicted for criminal possession of a  
weapon in the third degree, possessed and  
sold a fully loaded nine millimeter pistol in  
violation of Title 18, U.S.C. Section 922. [ 5:95-m -159 ]

**Disposition**

**Plaintiff**

USA

represented by **Richard Southwick**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*  
*Fee Status: waived\_2019*

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**ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney**Bar Status: Active**Fee Status: waived\_2019***Steven D. Clymer**

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Email All Attorneys






Email All Attorneys and Additional Recipients








Date Filed	#	Docket Text
03/20/1995		Arrest WARRANT issued as to Tommy Walker (Signed by Hon. Gustave J. DiBianco) [ 5:95-m -159 ] (wgl) (Entered: 03/22/1995)
03/21/1995	 <a href="#">1</a>	CRIMINAL COMPLAINT with Affidavit of Christopher D. Porreca, ATF Special Agent, as to Tommy Walker [ 5:95-m -159 ] (wgl) (alh, ). (Entered: 03/22/1995)
03/21/1995		ARREST of Tommy Walker [ 5:95-m -159 ] (lmp) (Entered: 03/22/1995)
03/21/1995	 <a href="#">2</a>	Arrest WARRANT Returned Executed as to Tommy Walker on 3/21/95 [ 5:95-m -159 ] (lmp) (alh, ). (Entered: 03/22/1995)
03/21/1995		Initial appearance as to Tommy Walker held; Detention Hearing set for 1:45 p.m. on 3/23/95 in Syracuse, NY, for Tommy Walker (Defendant informed of rights.) [ 5:95-m -159 ] (lmp) (Entered: 03/22/1995)
03/21/1995		MOTION in open court by USA as to Tommy Walker for Detention [ 5:95-m -159 ] (lmp) (Entered: 03/22/1995)
03/21/1995	 <a href="#">3</a>	Minute entry as to Tommy Walker: Tape #: 849 & 850. APP: Richard Southwick for USA. Deft. present without atty.; Deft. advises he will be retaining Oscar McKenzie, Esq.; Deft. advised of rights & given copy of complaint; maximum penalty stated; Deft. remanded to custody of US Marshal. [ 5:95-m -159 ] (lmp) (alh, ). (Entered: 03/22/1995)
03/23/1995		Detention hearing as to Tommy Walker held [ 5:95-m -159 ] (lmp) (Entered: 03/24/1995)
03/23/1995	 <a href="#">4</a>	Minute entry as to Tommy Walker for Detention Hearing: AUSA Southwick renews motion for detention & presents exhibits 1 thru 4; Atty. McKenzie speaks for Deft.; Mag. Judge DiBianco directs attys. to provide further







		documentation by 3/27/95; [0-0] oral motion for Detention under advisement as to Tommy Walker (1); set Preliminary Examination for 2:00 p.m. on 3/31/95 for Tommy Walker in Syracuse, NY ; Deft. remanded to custody of US Marshal. APP: Richard Southwick for USA; Oscar McKenzie for Deft. Tape #: 850 [ 5:95-m -159 ] (lmp) (alh, ). (Entered: 03/24/1995)
03/23/1995	 <a href="#">6</a>	INDICTMENT as to Tommy Walker (1) count(s) 1, 2-6, 7-9, 10, Tracey Blackwell (2) count(s) 1, 2, Gary Miller (3) count(s) 1 (Preliminary Examination cancelled.) (fce) (alh, ). (Main Document 6 replaced on 7/13/2017) (rep, ). (Entered: 03/28/1995)
03/23/1995	 <a href="#">7</a>	Minute entry as to Tommy Walker, Tracey Blackwell, Gary Miller : Hon. Gustave J. DiBianco presiding, Katherine M. Gridley, Court Clerk. The Grand Jury makes a partial report and presents Indictment No. 95-cr-101 (HGM) against Tommy Walker, et al. Tally sheets ordered sealed. Court Reporter/ECRO: Kathleen Ordway (fce) (alh, ). (Entered: 03/28/1995)
03/28/1995	 <a href="#">8</a>	ORDER W/Written Statement of Reasons For Detention as to Tommy Walker granting [0-0] oral motion for Detention as to Tommy Walker (1) ( Signed by Magistrate Judge Gustave J. DiBianco on 3/28/95 ) (fce) (alh, ). (Entered: 03/28/1995)
03/31/1995		Arraignment as to Tommy Walker, Tracey Blackwell, Gary Miller held (fce) (Entered: 04/11/1995)
03/31/1995	 <a href="#">10</a>	Minute entry for ARRAIGNMENTS as to Tommy Walker, Tracey Blackwell, Gary Miller: Attys. acknowledge receipt of copy of Indictment and waive formal reading. Defts. Walker, Blackwell and Miller EACH enter pleas of NOT GUILTY. Case assigned to Judge Munson. Mag/Judge DiBianco denying [0-0] oral motion by Govt. for Detention as to Miller (3): Deft. Miller to be released on various conditions. Deft Miller ordered to sign an unsecured bond in amt. of \$100,000.00. Deft. Blackwell's financial affidavit reviewed and he is found eligible. Atty. Carpenter is temporarily assigned to represent Blackwell. Atty. Carpenter is directed to complete application for Cr. Justice Act Panel and forward to the court ASAP. Tape #: 852; Appearances: AUSA Southwick for Govt; Oscar McKenzie, Esq. W/Tommy Walker; Jeffrey Carpenter, Esq. W/ Tracey Blackwell; John Clinton, Esq. W/Cary Miller (fce) (alh, ). (Entered: 04/11/1995)
03/31/1995	 <a href="#">11</a>	CRIMINAL PRETRIAL ORDER as to Tommy Walker, Tracey Blackwell, Gary Miller setting Motion Filing deadline on 4/28/95 for Tommy Walker, for Tracey Blackwell, for Gary Miller ; Copies given to all counsel ( Signed by Magistrate Judge Gustave J. DiBianco on 3/31/95 ) (fce) (alh, ). (Entered: 04/11/1995)
04/10/1995	 <a href="#">15</a>	MOTION by Tommy Walker, Tracey Blackwell, Gary Miller reset Motion Filing deadline to 5/8/95 , and for Continuance in Interests of Justice (fce) (alh, ). (Entered: 04/11/1995)
04/10/1995	 <a href="#">16</a>	ORDER as to Tommy Walker, Tracey Blackwell, Gary Miller granting [15-1] motion reset Motion Filing deadline to 5/8/95 as to Tommy Walker (1), Tracey Blackwell (2), Gary Miller (3), granting [15-2] motion for Continuance in Interests of Justice ; Time Excluded from 4/8/95 to 5/8/95 as to Tommy Walker (1), Tracey Blackwell (2), Gary Miller (3) ( Signed by Senior Judge Howard G.






		Munson on 4/8/95 ) (fce) (alh, ). (Entered: 04/11/1995)
05/02/1995	18	SEALING ORDER, that the contents of the enclosed envelope is to be Sealed until further order of this Court . ( Signed by Magistrate Judge Gustave J. DiBianco on 5/1/95 ) (fce) (Entered: 05/02/1995)
05/02/1995	19	SEALED DOCUMENT (fce) (Entered: 05/02/1995)
05/19/1995	25	SEALING ORDER Sealing document . ( Signed by Magistrate Judge Gustave J. DiBianco on 5/18/95 ) (fce) (Entered: 05/22/1995)
05/19/1995	26	SEALED DOCUMENT (fce) (Entered: 05/22/1995)
05/19/1995	27	SEALED DOCUMENT (fce) (Entered: 05/22/1995)
06/13/1995	30	SEALED DOCUMENT Filed. (fce) (Entered: 06/13/1995)
06/13/1995	31	SEALED DOCUMENT FILED. (fce) (Entered: 06/13/1995)
06/15/1995	 <a href="#">33</a>	Minute entry as to Sealed Deft 1, et al : The Grand Jury makes a final report and presents SEALED Superseding Indictment No. 95-CR-101. Tally Sheet ordered sealed. Court Reporter: Mary D'Amato (fce) (alh, ). (Entered: 06/26/1995)
06/15/1995	 <a href="#">34</a>	SUPERSEDING INDICTMENT as to Sealed Deft 1 (1) count(s) 1s, 2s-10s, 11s, 15s-17s, 18s , currdf Sealed Deft 2 (2) count(s) 1s, 2s, 8s-10s (fce) (alh, ). (Main Document 34 replaced on 7/13/2017) (rep, ). (Entered: 06/28/1995)
06/15/1995	 <a href="#">34</a>	SUPERSEDING INDICTMENT as to Sealed Deft #4 (4) count(s) 1, 12-13, 14 , Sealed Deft #5 (5) count(s) 1, 12-13 , Sealed Deft #6 (6) count(s) 1 , Sealed Deft #7 (7) count(s) 1, 19, 20 , Sealed Deft 1 (1) count(s) 20s (fce) Modified on 06/29/1995 (alh, ). (Main Document 34 replaced on 7/13/2017) (rep, ). (Entered: 06/29/1995)
06/15/1995		Count(s) added Sealed Deft 1 (1) count(s) 19s (fce) (Entered: 06/29/1995)
06/16/1995		Deadline updated as to Tommy Walker, Tracey Blackwell, Gary Miller, reset Motion Filing deadline to 7/17/95 for Tommy Walker, for Tracey Blackwell, for Gary Miller (fce) (Entered: 06/22/1995)
06/19/1995	 <a href="#">35</a>	ORDER Sealing Superseding Indictment . ( Signed by Magistrate Judge Gustave J. DiBianco on 6/19/95 ) (fce) (alh, ). (Entered: 06/29/1995)
06/29/1995		Arraignment on Superseding as to Sealed Deft 1, Sealed Deft 3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #7 held (fce) (Entered: 07/06/1995)
06/29/1995	 <a href="#">43</a>	ARRAIGNMENT ON SUPERSEDING INDICTMENT - Minute entry of 6/29/95 as to Sealed Deft 1, Sealed Deft 3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #7 :, set Detention Hearing for 2:00 p.m. on 7/14/95 for Sealed Deft 1, for Sealed Deft 3, for Sealed Deft #4, for Sealed Deft #5, for Sealed Deft #7 in Syracuse . Financial Affidavits of Sealed Deft. 7 and Sealed Deft 4 to be filed. Defts eligible for appointed counsel. Defts advised of rights, Maximum Penalty stated and each Deft given copy of Superseding Indictment. Defts. waive formal reading and Sealed Defts 1, 3-5, and 7 each enter plea of NOT GUILTY. Case assigned to Judge Munson; Criminal Pretrial Order issued in Court. Deft #5 released on various conditions and ordered to execute an unsecured bond in amt. of \$25,000.00. Defts. 1, 3, 4, and 7 REMANDED to




		custody of US Marshal . Mag. DiBianco discusses w/Deft #1 submissions sent to the Court on his behalf. AUSA, Southwick puts on record the possibility of a conflict w/Atty Policelli representing Deft. #5. Mag. DiBianco advises that these issues will be discussed w/Judge Munson. App: Mag/Judge DiBianco, Presiding; Oscar McKenzie, Esq. w/Sealed Deft #1; John Clinton, Esq. w/Sealed Deft #3; Thomas Shannon, Esq. w/Sealed Deft #4; J. Scott Proter, Esq. w/Sealed Deft #7; Frank Policelli, Esq. w/Sealed Deft #5. Tape #: 876 (fce) (alh, ). (Entered: 07/06/1995)
06/29/1995	 <a href="#">49</a>	CRIMINAL PRETRIAL ORDER as to Sealed Deft 1, Sealed Deft 3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #7 setting Motion Filing deadline on 7/27/95. Jury Trial for <date not set>. ( Signed by Magistrate Judge Gustave J. DiBianco on 6/29/95 ) (fce) (alh, ). (Entered: 07/06/1995)
07/10/1995	 <a href="#">52</a>	UNSEALING ORDER as to Sealed Deft 1, Sealed Deft 2, Sealed Deft 3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #7, to Unseal Superseding Indictment, filed on 6/19/95 . ( Signed by Magistrate Judge Gustave J. DiBianco on 7/10/95 ) (fce) (alh, ). (Additional attachment(s) added on 2/8/2016: # <a href="#">1</a> Main Document) (alh, ). (Entered: 07/14/1995)
10/19/1995	 <a href="#">92</a>	Minute entry: The Grand Jury makes a partial report and presents SEALED Second Superseding Indictment. Sealing Order and Arrest Warrants signed. Tally sheet ordered sealed. Hon. Howard G. Munson, Presiding; Court Reporter: Pamela Morley (fce) (alh, ). (Entered: 10/31/1995)
10/19/1995	 <a href="#">93</a>	ORDER SEALING ATTACHED SECOND SUPERSEDING INDICTMENT as to Sealed Deft #1, Sealed Deft #3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #6, Sealed Deft #7 ( Signed by Senior Judge Howard G. Munson on 10/19/95 ) (fce) (rep, ). (Entered: 10/31/1995)
10/19/1995	 <a href="#">94</a>	SECOND SUPERSEDING INDICTMENT as to Sealed Deft #1 (1) count(s) 1ss, 2ss, 3ss-6ss, 7ss-12ss, 16ss-18ss, 19ss, 26ss, 27ss , Sealed Deft #3 (3) count(s) 2ss, 16ss-18ss , Sealed Deft #4 (4) count(s) 2s, 20s-21s, 22s-23s, 24s-25s , Sealed Deft #5 (5) count(s) 2s, 20s-21s , Sealed Deft #6 (6) count(s) 2s , Sealed Deft #7 (7) count(s) 1s, 2s, 26s, 27s , Sealed Deft #8 (8) count(s) 2, 15 , Sealed Deft #9 (9) count(s) 2, Sealed Deft #10 (10) count(s) 2, Sealed Deft #11 (11) count(s) 2, Sealed Deft #12 (12) count(s) 2, Sealed Deft #13 (13) count(s) 2, Sealed Deft #14 (14) count(s) 2, Sealed Deft #15 (15) count(s) 2 , Sealed Deft #16 (16) count(s) 2, 13-14, Sealed Deft #17 (17) count(s) 2, 13-14 (fce) Additional attachment(s) added on 2/17/2006 (kcl, ). Additional attachment(s) added on 2/17/2006 (kcl, ). (alh, ). (Entered: 11/20/1995)
11/02/1995		MOTION in open court by AUSA, Southwick for USA as to Sealed Deft #1, Sealed Deft #3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #6, Sealed Deft #7, Sealed Deft #8, Sealed Deft #9, Sealed Deft #10, Sealed Deft #11, Sealed Deft #12, Sealed Deft #13, Sealed Deft #14, George Belgrove, Sealed Deft #16, David Kyles to Unseal Second Superseding Indictment (fce) (Entered: 11/22/1995)
11/02/1995		Arraignment on Superseding as to Sealed Deft #1, Sealed Deft #3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #7, Sealed Deft #8, Sealed Deft #11 held (fce) (Entered: 11/22/1995)



11/02/1995		Arraignment on Second Superseding Indictment as to Sealed Deft #1, Sealed Deft #3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #7, Sealed Deft #8, Sealed Deft #11 held (fce) (Entered: 11/28/1995)
11/02/1995		GOV'T - MOTION in open court by USA as to Tommy Walker III (1) and Kevin Watson (8) Atty. conflict of interest as to Atty. Moody representing Deft. Watson and Atty. McKenzie representing Deft. Walker . Response deadline 11/7/95 for Tommy Walker III and for Kevin Watson (fce) (Entered: 11/29/1995)
11/02/1995	 <a href="#">138</a>	WALKER (1) & WATSON (8) - ARRAIGNMENT ON SECOND SUPERSEDING INDICTMENT Minute entry as to Tommy Walker III, Kevin Watson : [0-0] oral motion re: conflict of interest as to Atty. Moody representing Deft. Watson and Atty. McKenzie representing Deft. Walker UNDER ADVISEMENT. Mag. Judge DiBianco admits Atty. Moody until formal paperwork is completed. The Court will either have a telephonic or in person argument re: conflict issue. Defts. given copies of Indictment; maximum penalties stated. Defts. waive formal reading of Indictment and EACH ENTER A PLEA OF NOT GUILTY. Defts. remanded to custody of US Marshal. Appr: Hon. Gustave DiBianco, Presiding; Clerk: Katherine Gridley; Oscar McKenzie, Esq. W/Deft. Walker; Simon Moody, Esq. W/Deft. Watson; Tape #: 905 (fce) (alh, ). (Entered: 11/29/1995)
11/02/1995	 <a href="#">141</a>	CRIMINAL PRETRIAL ORDER as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Kevin Watson setting Motion Filing deadline on 11/30/95 for Tommy Walker III, for Gary Miller, for Raymond Cobbs, for Cynthia Chaney, for Prentis Lindsey, for Kevin Watson ; ( Signed by Magistrate Judge Gustave J. DiBianco on 11/2/95 ) (fce) (alh, ). (Entered: 11/29/1995)
11/02/1995		WALKER (1) - Initial Appearance on 2nd Superseding Indictment as to Tommy Walker III held (Defendant informed of rights.) (fce) (Entered: 04/24/1996)
11/08/1995	 <a href="#">144</a>	UNSEALING ORDER as to Tommy Walker III, Tracey Blackwell, Gary Miller, Raymond Cobbs, Cynthia Chaney, Sealed Deft #6, Prentis Lindsey, Kevin Watson, Sealed Deft #9, Sealed Deft #10, Sealed Deft #11, Sealed Deft #12, Sealed Deft #13, Sealed Deft #14, George Belgrove, Sealed Deft #16, David Kyles granting [0-0] oral motion to Unseal Second Superseding Indictment ( Signed by Magistrate Judge Gustave J. DiBianco on 11/6/95 ) (fce) (alh, ). (Entered: 11/29/1995)
11/14/1995	 <a href="#">147</a>	GOV'T LETTER BRIEF, dated 11/8/95, by AUSA, Richard Southwick for USA as to Tommy Walker III (1) and Kevin Watson (8) in support of [0-0] oral motion Atty. conflict of interest as to Atty. Moody representing Deft. Watson and Atty. McKenzie representing Deft. Walker (fce) (alh, ). (Entered: 11/29/1995)
11/14/1995	 <a href="#">149</a>	WALKER (1) - ORDER as to Tommy Walker III, granting [0-0] oral motion by Gov't re: conflict of interest as to Atty. McKenzie representing Deft Walker. Deft. Walker has 14 days to obtain new counsel foth this aciton. Appeal information is given. Signed by Magistrate Judge Gustave J. DiBianco on 11/14/95 (fce) (alh, ). (Entered: 11/29/1995)






11/15/1995	 <a href="#">150</a>	WALKER (1) - LETTER RESPONSE, dated 11/13/95, by Tommy Walker III in opposition to [0-0] oral motion by Gov't re: conflict of interest as to Atty. McKenzie representing Deft. Walker (fce) (alh, ). (Entered: 11/29/1995)
11/17/1995	 <a href="#">159</a>	WALKER (1) & HOWARD (13) - LETTER from Atty. Oscar McKenzie, dated 11/9/95, counsel for Tommy Walker and ORDER, Court will schedule a hearing to be attended by Ms. Howard, her atty., Mr. Walker, his atty. and the US atty. re: conflict of interest issue. ( Signed by Magistrate Judge Gustave J. DiBianco on 11/17/95 ) (fce) (alh, ). (Entered: 11/30/1995)
11/17/1995	 <a href="#">160</a>	NOTICE From the Court Re: Hearing re: possible conflict of interest for counsels for Defts Tommy Walker III and Lorraine Howard (fce) (alh, ). (Entered: 11/30/1995)
11/20/1995		Pre-trial conference set for 11/21/95 at 11:00 as to Sealed Deft #1, Tracey Blackwell, Sealed Deft #3, Sealed Deft #4, Sealed Deft #5, Sealed Deft #6, Sealed Deft #7, Sealed Deft #8, Sealed Deft #9, Sealed Deft #10, Sealed Deft #11, Sealed Deft #12, Sealed Deft #13, Sealed Deft #14, Sealed Deft #15, Sealed Deft #16, Sealed Deft #17 set at 11:00 11/21/95 for Sealed Deft #1, for Tracey Blackwell, for Sealed Deft #3, for Sealed Deft #4, for Sealed Deft #5, for Sealed Deft #6, for Sealed Deft #7, for Sealed Deft #8, for Sealed Deft #9, for Sealed Deft #10, for Sealed Deft #11, for Sealed Deft #12, for Sealed Deft #13, for Sealed Deft #14, for Sealed Deft #15, for Sealed Deft #16, for Sealed Deft #17 in USDC Syracuse, NY, Judge Munson's Chambers. Court and counsel to meet and review motion schedules, trial scheduling and any pretrial issues to be presented to the court. (ptm) (Entered: 11/20/1995)
11/21/1995		WALKER (1) and HOWARD (13) - Evidentiary Hearing re: conflict of interest as to Tommy Walker III and Lorraine Howard held (fce) (Entered: 11/30/1995)
11/21/1995	 <a href="#">167</a>	WALKER (1) & HOWARD (13) - CONFLICT OF INTEREST Issue Minute entry as to Tommy Walker III and Lorraine Howard: Mag/Judge DiBianco questions Defts. extensively. Atty. McKenzie speaks on behalf of Deft Walker. Atty. Priest speaks on behalf of Deft Howard. Defts are directed to contact attys. unconnected w/case re: conflict issue. Both Defts. waive their right to assert that a conflict exists. Decision of Mag/Judge DiBianco dated 11/14/95 is Stayed . Deft. Walker remanded to custody of US Marshal. Deft Howard is released on previous conditions. Appr: Hon. Gustave DiBianco, Presiding; Clerk Katherine Gridley; AUSA, Richard Southwick for Gov't; Oscar McKenzie, Esq. W/Deft Walker; Richard Priest, Esq. W/Deft Howard; Tape # 912 (fce) (alh, ). (Entered: 11/30/1995)
11/21/1995	 <a href="#">180</a>	WALKER (1) - RESPONSE W/ATTACHMENTS by Tommy Walker III in support of [167-2] relief for a stay in Order dated 11/14/95. (fce) (alh, ). (Main Document 180 replaced on 8/16/2017) (rep, ). (Entered: 12/06/1995)
11/30/1995	 <a href="#">181</a>	WALKER (1) - ORDER as to Tommy Walker III denying [167-2] request to stay Order of 11/14/95 ( Signed by Magistrate Judge Gustave J. DiBianco on 11/30/95 ) (fce) (alh, ). (Entered: 12/06/1995)
12/07/1995	 <a href="#">184</a>	WALKER (1) - LETTER, dated 12/4/95, from Tommy Walker III in Support of Brief For Appeal. Attached is copy of brief. (fce) (alh, ). (Entered: 12/08/1995)









12/07/1995	 <a href="#">185</a>	WALKER(1) - MOTION by Tommy Walker III for Release from Custody, before Judge Munson and for Dismissal of the Indictment, before Judge Munosn . Attached is Affidavit of Thommy Walker and Affidavit Of Service. Hearing set for 12/15/95 for Tommy Walker III in Syracuse. (fce) (alh, ). (Entered: 12/08/1995)
12/08/1995	 <a href="#">186</a>	WALKER (1) - AFFIDAVIT by Tommy Walker III in Support of : [185-1] motion for Release from Custody, before Judge Munson (fce) (alh, ). (Entered: 12/08/1995)
12/13/1995	 <a href="#">189</a>	TRANSCRIPT of hearing held before Hon. Gustave J. DiBianco as to Tommy Walker III and Lorraine Howard in Syracuse on November 21, 1995 (fce) (alh, ). (Entered: 12/19/1995)
01/18/1996	 <a href="#">192</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Kevin Watson, Henry O. Felton, Lorraine Howard, Melvina Bennett, George Belgrove, David Kyles : Minute Entry - Pretrial Scheduling Conference. Court meets with Attorneys and sets pretrial schedules. All parties are to review discovery materials by 12/22/95 with any motions by defts filed by 2/2/96 and made returnable on March 1, 1996 at 10:00pm. Trial set for May 6, 1996 in USDC Syracuse, NY at 10:00am. Appearances: Oscar MacKenzie for deft Walker, William Walsh for deft Lindsey, John Clinton for deft Miller, Robert Wells for deft Chaney, Francis Vavonese for deft Watson, James Medcraf for deft Felton, Richard Priest for deft Howard, Lisa Peebles for deft Bennett, George Alessio for deft Belgrove, John Laidlaw for deft Whitehurst, Bruce Bryan for deft Kyles. (ptm) (alh, ). (Entered: 01/18/1996)
01/18/1996		Jury trial as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Sealed Deft #6, Prentis Lindsey, Kevin Watson, Henry O. Felton, Andre Galloway, Sealed Deft #11, Sealed Deft #12, Lorraine Howard, Melvina Bennett, George Belgrove, Sealed Deft #16, David Kyles set at 2:00 5/6/96 for Tommy Walker III, for Gary Miller, for Raymond Cobbs, for Cynthia Chaney, for Sealed Deft #6, for Prentis Lindsey, for Kevin Watson, for Henry O. Felton, for Andre Galloway, for Sealed Deft #11, for Sealed Deft #12, for Lorraine Howard, for Melvina Bennett, for George Belgrove, for Sealed Deft #16, for David Kyles in USDC Syracuse, NY (ptm) (Entered: 01/18/1996)
01/22/1996		Motion hearing held as to Tommy Walker III re: Appeal fromn Magistrate DiBianco's 11/21/95 stay of 11/14/95 order disqualifying Atty McKenzie as counsel for deft Walker. (ptm) (Entered: 01/22/1996)
01/22/1996	 <a href="#">193</a>	Minute entry as to Tommy Walker III: [167-1] Minute Entry dated 11/14/95 is Stayed under advisement, [167-2] relief under advisement Court Reporter/ECRO: Kenneth Crewell Judge Munson reserves decision as to deft Walker's appeal of Magistrate DiBianco's Order disqualifying Atty McKenzie. Court to issue written decision as to all representations issues. Appearances: Richard Southwick, AUSA, Oscar McKenzie, Deft Thomas Walker. (ptm) (alh, ). (Entered: 01/22/1996)
01/24/1996	 <a href="#">199</a>	CJA 20 Authorization to pay Thomas W. Ryan for defendant Sealed Deft #12 , Amount: \$ 960 Voucher # 0376852 ( Signed by Senior Judge Howard G. Munson on 1/16/96 ) (lmp) (alh, ). (Entered: 01/24/1996)











01/26/1996	 <a href="#">206</a>	WALKER (1) - MEMORANDUM-DECISION AND ORDER as to Tommy Walker III, his appeal of Mag. Judge DiBianco's November 30, 1995 Order, which disqualified Oscar McKenzie, Jr. as counsel for deft. Tommy Walker. It is ORDERED that Mag. Judge DiBianco's Order of 11/30/95 is AFFIRMED IN ITS ENTIRETY. Deft Walker has until 2/9/96 to advise the court of his newly retained counsel or submit a financial affidavit for the purpose of obtaining court-appointed counsel. Motion Filing deadline is reset to 3/11/96 for Tommy Walker III. The government has until 3/18/96 to file response papers. The return date will be 4/12/96, 11:00 a.m. at Syracuse, NY. ( Signed by Senior Judge Howard G. Munson on 1/26/96 ) (fce) (alh, ). (Entered: 01/26/1996)
02/15/1996	 <a href="#">214</a>	WALKER 1 - CJA 20 as to Tommy Walker III: Appointment of Attorney Salvatore J. Piemonte Voucher # 0588709 ( Signed by Senior Judge Howard G. Munson on 2/15/96 ) (fce) (alh, ). (Entered: 02/15/1996)
02/15/1996	 <a href="#">215</a>	WALKER 1 - ORDER as to Tommy Walker III, apptcnsl for Appointment of Counsel - Atty. Salvatore J. Piemonte without the completion of a financial affidavit. Court shall review Walker's assets to determine whether any funds are available to satisfy CJA requirements. , reset Motion Filing deadline to 3/11/96 for Tommy Walker III , the Gov't shall Response to Motion by 3/18/96 , Motion Hearing set for 11:00 on 4/12/96, at Syracuse, NY. ( Signed by Senior Judge Howard G. Munson on 2/15/96 ) (fce) (alh, ). (Entered: 02/15/1996)
03/13/1996	 <a href="#">236</a>	WALKER (1) - MOTION by Tommy Walker III 1) for Disclosure of information regarding confidential informant, before Hon. Munson , 2) for Bill of Particulars , 3) for Bill of Particulars , 4) for Bill of Particulars , 5) for Bill of Particulars , 6) for Discovery and Inspection , 7) for Disclosure of Brady material , 8) for Exculpatory Material , 9) for Disclosure of electronic surveillance evidence , 10) for Disclosure of defendant Walker's statements , 11) for Disclosure of co-conspirator statements , 12) for Disclosure of prior criminal record , 13) for Disclosure of other crimes, wrongs or acts , 14) for Severance at trial , 15) for additional peremptory challenges and to permit deft. to exercise them separately , 16) for disclosure of Jencks material , 17) for witness list , 18) for Protective Order to preserve notes of law enforcement officials , 19) to Dismiss the indictment as to deft. Walker , 20) for Hearing to determine the sufficiency of evidence of a conspiracy and to determine the admissibility of co-Conspirator statements , 21) for Audibility Hearing , 22) to Suppress electronic eavesdropping evidence , 23) for Disclosure of physical surveillance logs kept by Government agents. There are attachments and Affidavit of Service. before Hon. Howard G. Munson (fce) (alh, ). (Entered: 04/15/1996)
03/28/1996	231	Minute entry as to Tommy Walker III, Prentis Lindsey, Kevin Watson : Court and counsel meet and review Govt Exhibit tape recordings for audibility. Audibility Hearing continued to 4/11/96 at 1:30pm in USDC Syracuse, NY. Appearances: Richard Southwick, AUSA, William Walsh for deft Lindsey, Frank Vavonese for deft Watson. Court Reporter/ECRO: Stephanie Goodman (ptm) (Entered: 04/11/1996)
04/10/1996	 <a href="#">235</a>	Letter, dated 2/27/96, from AUSA Richard Southwick for USA re: erroneous response to defense motions. The US Attys. Office has taken steps to provide copies of papers regarding Electronic Surveillance to the defense counsel. (fce)









		(alh, ). (Main Document 235 replaced on 2/9/2016) (jmb, ). (Entered: 04/15/1996)
04/12/1996	237	Minute entry as to Tommy Walker III: Hearing on Omnibus Motions by Deft Tommy Walker. Court hears argument on various motions by deft Tommy Walker, pro se with advisory counsel Salvatore Piemonte. Judge Munson orders action continued to 4/19/96 at 2:00pm in USDC Syracuse, NY. Appearances: Tommy Walker, pro se, with advisory counsel Salvatore Piemonte, Richard Southwick, AUSA for Govt. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 04/18/1996)
04/18/1996	 <a href="#">243</a>	MEMORANDUM W/Attachments by AUSA, Richard Southwick for USA as to Tommy Walker III in opposition to [236-1] motion for Disclosure of information regarding confidential informant, [236-2] motion for Bill of Particulars, [236-3] motion for Bill of Particulars, [236-4] motion for Bill of Particulars, [236-5] motion for Bill of Particulars, [236-6] motion for Discovery and Inspection, [236-7] motion for Disclosure of Brady material, [236-8] motion for Exculpatory Material, [236-9] motion for Disclosure of electronic surveillance evidence, [236-10] motion for Disclosure of defendant Walker's statements, [236-11] motion for Disclosure of co-conspirator statements, [236-12] motion for Disclosure of prior criminal record, [236-13] motion for Disclosure of other crimes, wrongs or acts, [236-14] motion for Severance at trial, [236-15] motion for additional peremptory challenges and to permit deft. to exercise them separately, [236-16] motion for disclosure of Jencks material, [236-17] motion for witness list, [236-18] motion for Protective Order to preserve notes of law enforcement officials, [236-19] motion to Dismiss the indictment as to deft. Walker, [236-20] motion for Hearing to determine the sufficiency of evidence of a conspiracy and to determine the admissibility of co-Conspirator statements, [236-21] motion for Audibility Hearing, [236-22] motion to Suppress electronic evesdropping evidence, [236-23] motion for Disclosure of physical surveillance logs kept by Government agents. (fce) (jmb) (Entered: 04/19/1996)
04/19/1996	244	Minute entry as to Tommy Walker III: Continued Motion Hearing. Court hears argument from deft pro se with advisory counsel and from the Govt. Judge Munson reserves decision as to all motions to be considered by Court, with written decision to be issued. Appearances: Richard Southwick, AUSA for Govt., Tommy Walker, deft with Advisory counsel Salvatore Piemonte. Court Reporter/ECRO: Sally B. Maiorano (ptm) (Entered: 04/19/1996)
04/22/1996		WALKER (1) - Tommy Walker III is to appear Pro Se in this action. Atty. Salvatore Piemonte will remain in an advisory capacity for the defendant. (fce) (Entered: 04/22/1996)
04/23/1996	 <a href="#">245</a>	WALKER (1) - ORDER as to Tommy Walker III denying [185-1] motion for Release from Custody as to Tommy Walker (1), denying [185-2] motion for Dismissal of the Indictment, before Judge Munosn as to Tommy Walker (1) ( Signed by Senior Judge Howard G. Munson on 4/23/96 ) (fce) (alh, ). (Entered: 04/23/1996)
04/23/1996	 <a href="#">245</a>	WALKER (1) - ORDER as to Tommy Walker III. Due to the substantial similarity of deft Walker's motions to those addressed in a prior decision, the court herein incorporates as a basis for the following rulings the discussion set





		<p>forth in its 4/10/96 MDO. Inasmuch as deft. Walker is representing himself, the court Grants his request to allow him to have personal access to potential witnesses presently detained at the jail who agree to be interviewed by deft. Walker. However any interviews must be conducted in presence of deft. Walker's advisory counsel, and in the presence of the legal counsel for the co-deft. being interviewed. denying [236-1] motion for Disclosure of information regarding confidential informant, as to Tommy Walker (1), denying [236-2] motion for Bill of Particulars as to Tommy Walker (1), denying [236-3] motion for Bill of Particulars as to Tommy Walker (1), denying [236-4] motion for Bill of Particulars as to Tommy Walker (1), denying [236-5] motion for Bill of Particulars as to Tommy Walker (1), denying [236-6] motion for Discovery and Inspection as to Tommy Walker (1), denying [236-7] motion for Disclosure of Brady material as to Tommy Walker (1), denying [236-8] motion for Exculpatory Material as to Tommy Walker (1), denying [236-9] motion for Disclosure of electronic surveillance evidence as to Tommy Walker (1), granting [236-10] motion for Disclosure of defendant Walker's statements as to Tommy Walker (1), granting [236-11] motion for Disclosure of co-conspirator statements as to Tommy Walker (1), denying [236-12] motion for Disclosure of prior criminal record as to Tommy Walker (1), denying [236-13] motion for Disclosure of other crimes, wrongs or acts as to Tommy Walker (1), denying [236-14] motion for Severance at trial as to Tommy Walker (1), reserved until the time of trial [236-15] motion for additional peremptory challenges and to permit deft. to exercise them separately as to Tommy Walker (1), denying [236-16] motion for early disclosre of Jencks material as to Tommy Walker (1), denying [236-17] motion for early discolsure of witness list as to Tommy Walker (1), granting [236-18] motion for Protective Order to preserve notes of law enforcement officials as to Tommy Walker (1), denying [236-19] motion to Dismiss the indictment as to deft. Walker as to Tommy Walker (1), denying [236-20] motion for Hearing to determine the sufficiency of evidence of a conspiracy and to determine the admissibility of co-Conspirator statements as to Tommy Walker (1), denying [236-21] motion for Audibility Hearing as to Tommy Walker (1), denying without prejudice [236-22] motion to Suppress electronic evesdropping evidence as to Tommy Walker (1), denying [236-23] motion for Disclosure of physical surveillance logs kept by Government agents. as to Tommy Walker (1). Granting leaveleave to file additional motions id GRANTED, upon good cause shown. ( Signed by Senior Judge Howard G. Munson on 4/23/96 ) (fce) (alh, ). (Entered: 04/23/1996)</p>
04/25/1996	 <a href="#">246</a>	<p>BILL OF PARTICULARS W/Certificate Of Service By Mail by AUSA, Richard Southwick for USA as to Tommy Walker III, Tracey Blackwell, Gary Miller, Raymond Cobbs, Cynthia Chaney, Jorge Pasqual, Prentis Lindsey, Kevin Watson, Henry O. Felton, Andre Galloway, Lorraine Howard, Melvina Bennett, George Belgrove, Gregory Leon Whitehurst, David Kyles (fce) (alh, ). (Entered: 04/25/1996)</p>
05/03/1996	262	<p>ORDER as to Tommy Walker III, Sealing the next filed document. ( Signed by Magistrate Judge Gustave J. DiBianco on 5/3/96 ) (fce) (Entered: 05/06/1996)</p>
05/03/1996	263	<p>SEALED DOCUMENT (fce) (Entered: 05/06/1996)</p>
05/06/1996	 <a href="#">266</a>	<p>by USA as to Tommy Walker III, Tracey Blackwell, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Melvina Bennett (fce) (alh, ).</p>

		(Entered: 05/06/1996)
05/06/1996	 <a href="#">267</a>	Witness list by AUSA, Richard Southwick and AUSA John Duncan for USA as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Melvina Bennett (fce) (alh, ). (Entered: 05/06/1996)
05/06/1996	 <a href="#">268</a>	Proposed Jury Instructions (Request to Charge) by USA as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Melvina Bennett (fce) (jmb) (Entered: 05/06/1996)
05/06/1996	 <a href="#">269</a>	TRIAL BRIEF (MEMORANDUM) by USA as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Melvina Bennett (fce) (alh, ). (Main Document 269 replaced on 8/20/2017) (rep, ). (Entered: 05/06/1996)
05/06/1996	 <a href="#">270</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Final Pretrial Conference: Court and counsel meet and review trial scheduling and trial issues: Jury Challenges, defts seating posiitons, pretrial motions by defts Walker and Miller to consolidate counts 16, 17. Judge Munson rules as to all pretrial issues and denies defts Walker and Miller motions to consolidate. Judge Munson further orders action continued to 5/7/96 for Jury Selection. Appearances: Richard Southwick, AUSA and John G. Duncan for Govt. Salvatore Piemonte advisory counsel for T. Walker, William Walsh for P. Lindsey, Thomas Shannon for R. Cobb, Richard Priest for L. Howard, John Clinton for G. Miller, Robert Wells for C. Chaney, Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/07/1996)
05/07/1996	 <a href="#">271</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued: Court and counsel meet and discuss status of deft Lindsey's appearance in Court. Judge Munson rules on deft Lindsey's status in Court and hears further motions by Govt to sever action related to deft Jorge Pasquale, and motions to sever by deft Cobb, Miller and Chaney. Judge Munson grants Governments motion to sever Jorge Pasquale, and denies defts' motions to sever. Court in Session: Jury Selection begins. Judge Munson conducts extensive voir dire examination of preoperative Jurors. Jury Selection continued to 5/8/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/07/1996)
05/07/1996		Voir dire begun as to Tommy Walker (1) count(s) 1ss, 1, 1s, 2ss, 2-6, 2s-10s, 3ss-6ss, 7ss-12ss, 7-9, 10, 11s, 15s-17s, 16ss-18ss, 18s, 19ss, 19s, 20s, 26ss, 27ss, Gary Miller (3) count(s) 1, 1s, 2ss, 9s-10s, 16ss-18ss, Raymond Cobbs (4) count(s) 1, 2s, 12-13, 14, 20s-21s, 22s-23s, 24s-25s, Cynthia Chaney (5) count(s) 1, 2s, 12-13, 20s-21s, Prentis Lindsey (7) count(s) 1s, 1, 2s, 19, 20, 26s, 27s, Lorraine Howard (13) count(s) 2 Terminated motions [236-15] motion for additional peremptory challenges and to permit deft. to exercise them separately as to Tommy Walker (1), [213-11] motion for additional peremptory challenges and to permit deft. to exercise them separately as to Lorraine Howard (13), [210-15] motion for additional peremptory challenges and permit deft. to exercise them separately as to Cynthia Chaney (5), [207-11] motion for additional pre-emptory challenges and permitting deft. to exercise them separately as to Raymond Cobbs (4), [191-17] motion for additional Peremptory challenges (before Judge Munson as to Prentis Lindsey (7), [22-11]





		motion for additional peremptory challenges and to permit deft. to exercise them separately, before Judge Munson as to Gary Miller (3) (ptm) (Entered: 05/14/1996)
05/08/1996	 <a href="#">272</a>	SUPPLEMENT Witness list by Richard Southwick for USA as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard (fce) (alh, ). (Entered: 05/08/1996)
05/08/1996	 <a href="#">273</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Jury Selection Continued: Judge Munson conducts continued extensive interrogation of prospective jurors. Judge Munson directs jury selection continued to 5/9/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/08/1996)
05/09/1996	 <a href="#">274</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Jury Selection Continued: Jury and Alternates Selected and sworn. Judge Munson gives preliminary charge to the jury. Trial continued to 5/13/96. Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/13/1996)
05/13/1996	 <a href="#">275</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued: Opening Remarks by Counsel for Govt, and deft Walker, Cobbs, Chaney, Miller, and Howard. Deft Lindsey defers opening remarks until close of Govt's Case. Openings proceed without deft Lindsey present in Court. Witnesses for Govt. Trial continued to 5/14/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/13/1996)
05/14/1996	 <a href="#">277</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued: Judge Munson and counsel meet and review problems with continued service of Alternate Juror No.: 1 Jacqueline McCoy. Upon extensive discussion on record with Alternate Juror McCoy and counsel, Judge Munson directs that Alternate Juror McCoy be excused from service on this Jury. Court in Session: Witness for Govt. Trial adjourned to 5/15/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/15/1996)
05/15/1996	 <a href="#">278</a>	ORDER as to Tommy Walker III, Raymond Cobbs, Prentis Lindsey, that defts. Walker, Lindsey and Cobb be allowed to meet at certain times while in custody at On. Co. Justice Center, all times and places are to be determined by the staff of The Onondaga County Justice Center. ( Signed by Senior Judge Howard G. Munson on 5/15/96 ) (fce) (alh, ). (Entered: 05/16/1996)
05/15/1996	 <a href="#">279</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued: Witnesses for Government: Trial Continued to 5/16/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/16/1996)
05/16/1996	 <a href="#">280</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued: Court rules on certain evidence. Jury Enters. Witness for Government. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) Modified on 05/16/1996 (alh, ). (Entered: 05/16/1996)






05/20/1996	 <a href="#">281</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued: Witnesses for Govt. Appearances: same. Court Reporter: Kenneth Crewell (ptm) (alh, ). (Entered: 05/20/1996)
05/21/1996	 <a href="#">282</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Prentis Lindsey, Lorraine Howard : Trial Continued. Witnesses for Government. Trial continued to 5/22/96. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/21/1996)
05/22/1996	 <a href="#">283</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Motions by all defts for mistrial based upon change of plea by deft Lindsey. Judge Munson DENIES defts' motions. Witness for Government. Motion to strike certain portions of witness Divers testimony. Judge Munson reserves decision as to motion to strike. Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/22/1996)
05/23/1996	 <a href="#">284</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Conference in Chambers: All counsel report to status of action to Court. Witnesses for Govt. Trial Continued to 5/29/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/29/1996)
05/29/1996	 <a href="#">285</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Witnesses for Govt. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/30/1996)
05/30/1996	 <a href="#">286</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Witnesses for the Govt. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/30/1996)
05/31/1996	 <a href="#">287</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Conference in Chambers: Court and counsel meet and review case progress and evidentiary issues. Trial continued to 6/3/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 05/31/1996)
05/31/1996	 <a href="#">288</a>	PETITION by AUSA, Richard Southwich for USA for Writ of Habeas Corpus ad Testificandum (fce) (alh, ). (Entered: 06/03/1996)
05/31/1996	 <a href="#">290</a>	ORDER, that a Writ of Habeas Corpus Ad Testificandum is to be issued for the US Marshals Service to produce Damien McCovery, on 5/31/96. ( Signed by Magistrate Judge Gustave J. DiBianco on 5/31/96 ) (fce) (alh, ). (Entered: 06/04/1996)
05/31/1996		WRIT of Habeas Corpus ad Testificandum issued for Damien McCovery for 5/31/96 in case (fce) (Entered: 06/04/1996)
06/03/1996	 <a href="#">289</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Witnesses for Govt. Trial Continued to 6/4/96. Motion to strike testimony of witnesses Briggs. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/03/1996)




06/04/1996	 <a href="#">291</a>	SUPPLEMENT Witness list by USA, Richard Southwick. (fce) (alh, ). (Entered: 06/04/1996)
06/04/1996	 <a href="#">292</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Witnesses for Govt. Trial continued to 6/5/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/04/1996)
06/05/1996	293	ORDER, Sealing the next 2 filed documents. ( Signed by Senior Judge Howard G. Munson on 6/5/96 ) (fce) (Entered: 06/06/1996)
06/05/1996	294	SEALED DOCUMENT (fce) (Entered: 06/06/1996)
06/05/1996	295	SEALED DOCUMENT (fce) (Entered: 06/06/1996)
06/05/1996	 <a href="#">315</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Judge Munson rules on certain evidentiary matters and statements of witness Perkins. Jury enters. Witnesses for Govt. Trial continued to 6/7/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 07/03/1996)
06/07/1996	 <a href="#">296</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Witnesses for Govt. Trial continued to 6/10/96. Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/07/1996)
06/10/1996	 <a href="#">297</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued: Witnesses for Govt. Trial continued to 6/11/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/10/1996)
06/10/1996	304	SEALED DOCUMENT (fce) (Entered: 06/12/1996)
06/10/1996	305	SEALED DOCUMENT (fce) (Entered: 06/12/1996)
06/11/1996	 <a href="#">301</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Witnesses for Govt. Jury exits. Motion to allow further scope of cross exam of witness Perkins. Judge Munson reserves decision. Trial continued to 6/12/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/11/1996)
06/12/1996	 <a href="#">306</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Judge Munson rules as to scope of cross exam of witness Perkins. Jury Enters. Witness for Govt. Trial continued to 6/13/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/12/1996)
06/13/1996	 <a href="#">307</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Judge Munson rules on further evidentiary matters. Jury Enters. Witnesses for Govt. Trial Continued to 6/17/96. Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/13/1996)
06/14/1996	309	ORDER, Sealing the next 2 documents. ( Signed by Magistrate Judge Gustave J. DiBianco on 6/14/96 ) (fce) (Entered: 06/17/1996)










06/14/1996	310	SEALED DOCUMENT (fce) (Entered: 06/17/1996)
06/14/1996	311	SEALED DOCUMENT (fce) (Entered: 06/17/1996)
06/17/1996	 <a href="#">312</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Witnesses for Govt. Trial continued to 6/18/96. Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 06/26/1996)
06/18/1996	 <a href="#">313</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Court rules on certain evidentiary matters. Witnesses for Govt. Jury Exits Court. Hearing as to Jorge Pasquale. Judge Munson orders further briefing as to defts' motion to preclude testimony of witness Pasquale. Trial continued to 6/19/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (rep, ). (Entered: 06/26/1996)
06/19/1996	316	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Without Jury. Judge Munson rules on scope of testimony of Witness Pasquale and orders further hearing on conflict of interest issue with witness Pasquale. Govt moves remaining exhibits and moves to dismiss counts 4, 5, 6, 19, 22, 23 of second superseding indictment. Judge Munson rules on exhibits and GRANTS Govt's motion to dismiss Counts 4, 5, 6, 19, 22, and 23 of second superseding indictment. Judge Munson further orders Govt to redact Second Superseding Indictment reflecting dismissal of counts. Jury Enters. GOVERNMENT RESTS. Without Jury. Hearing on conflict of interest regarding witness Pasquale. Trial continued to 6/20/96 Appearances: same. GOVERNMENT RESTS. Motions to dismiss by all defts. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/17/1996)
06/20/1996	317	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Conference in Chambers. Court and counsel meet and review continued trial scheduling. Jury Enters. DEFT WALKER RESTS. Witness for deft Cobb. Trial continued to 6/24/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/17/1996)
06/24/1996	 <a href="#">318</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Judge Munson rules on scope of Cross Examination of deft Chaney. Jury Enters. DEFT COBB RESTS. Witness for deft Chaney. DEFT CHANEY RESTS. DEFT HOWARD RESTS. DEFT MILLER RESTS. Jury Exits Court. Motion for Mistrial and renewed motion for severance by all defts. Judge Munson denies motions for mistrial and severance and directs Govt to proceed with rebuttal case. Charge Conference. Trial continued to 6/25/96. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 07/17/1996)
06/25/1996	 <a href="#">319</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Rebuttal Witness for Govt. GOVT RESTS REBUTTAL CASE. Jury Exits Court. Motion to strike testimony of rebuttal witness by all defts. Judge Munson denies motions. Renewed motion to strike Howard Ex. (B). Judge Munson denies motion to strike Howard Ex. (B). Renewed Rule 29 Motions for Judgment of Acquittal by all defts. Judge Munson denies renewed motions as to defts Walker, Cobb and Miller and












		reverses as to defts Howard and Chaney. Jury Enters. Summation for Govt by AUSA John G. Duncan, Summation for deft Cobb by Thomas Shannon Esq. Trial continued to 6/26/96 Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 07/17/1996)
06/26/1996	320	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Summation for deft Miller by John Clinton, Esq., Summation for deft Howard by Richard Priest, Esq., Summation for deft Chaney by Robert Wells, Esq. Rebuttal for the Govt by AUSA Richard Southwick. Trial continued to 6/27/96 for Judge Munson's Charge to the Jury. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/17/1996)
06/27/1996	321	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Judge Munson charges jury on Law. Marshals sworn. Jury Commences Deliberations. Notes from Jury, Nos.: 1,2,3 and 4. Jury Enters. Judge Munson further instructs Jury as to law. Trial continued to 6/28/96 for further Jury Deliberations. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/17/1996)
06/28/1996	323	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Jury Continues deliberations. Trial continued to 7/1/96 Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/24/1996)
07/01/1996	324	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Jury continues deliberations. Trial continued to 7/2/96. Appearances: same Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/24/1996)
07/02/1996	325	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Trial Continued. Jury continues deliberations. Jury returns Verdict. Clerk takes verdict. JURY VERDICT: AS TO DEFT TOMMY WALKER - GUILTY ON ALL COUNTS CHARGED; AS TO DEFT RAY COBB - GUILTY ON ALL COUNTS CHARGED; AS TO DEFT GARY MILLER - GUILTY ON ALL COUNTS CHARGED; AS TO DEFT CYNTHIA CHANEY - NOT GUILTY AS TO ALL COUNTS CHARGED; AS TO DEFT LORRAINE HOWARD - HUNG JURY AS TO ALL COUNTS CHARGED. Judge Munson orders Jury Polled. JURY POLLED WITH ALL JURORS CONCURRING. Judge Munson directs defts Walker, Cobb and Miller remanded to custody of USMS. Deft Chaney ordered released forthwith. Deft Howard continued on previously established terms of pretrial release. Judge Munson further orders defts Walker, Cobb, Miller and Howard to appear for argument of post-trial Rule 29 and dismissal motions at 11:00am in USDC Syracuse, NY. Appearances: same. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/24/1996)
07/03/1996	326	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Lorraine Howard : Post-Trial Motions: Judge Munson hears Rule 29 motions by defts Miller Cobb and Howard and motions for dismissal and severance by defts Cobb and Miller. Judge Munson reserves decision as to all motions and directs all defts appear for decision and for deft Walker to argue post-trial motions on 7/11/96 at 10:00am in USDC Syracuse, NY. Appearances:









		Deft Walker pro se, Thomas Shannon for deft Cobb, John Clinton for deft Gary Miller, Richard Priest for deft Howard. Walker to argue post-trial motions Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/24/1996)
07/11/1996	327	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs, Lorraine Howard : Post-trial Motions: Deft Walker appears pro se and requests adjournment of post-trial motions. Judge Munson adjourns post-trial motions for deft Walker to 7/18/96 at 11:00am. Judge Munson rules on post-trial motions as to deft Cobb, Miller and Howard. Judge Munson DENIES depts' Cobb and Miller Rule 29 motions for judgment of acquittal and motions to dismiss counts and for severance. Judge Munson GRANTS deft Howard's Rule 29 motion and directs the entry of a Judgment of Acquittal as to all counts of conviction. Appearances: Deft Tommy Walker pro se, Thomas F. Shannon for deft Cobb, John Clinton for deft Miller, Richard D. Priest for deft Howards. Court Reporter/ECRO: Kenneth Crewell (ptm) (Entered: 07/26/1996)
07/18/1996	 <a href="#">328</a>	Minute entry as to Tommy Walker III: Post-Trial Motion Hearing for Tommy Walker. Judge Munson hears argument by deft Wakler, Atty Piemonte for deft Walker and Govt and DENIES deft Walker's motion to dismiss certain counts of conviction and Rule 29 motion for Judgment of Acquittal. Judge Munson further sets Sentencing for Deft for 11/1/96 at 2:00pm. Appearances: Deft Tommy Walker, Salvatore Piemonte for deft Walker and Richard S. Southwick AUSA for Govt. Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 07/26/1996)
07/26/1996		Sentencing set for 2:00 11/1/96 for Tommy Walker III, for Gary Miller, for Raymond Cobbs in USDC Syracuse, NY (ptm) (Entered: 07/26/1996)
07/26/1996	329	Notice to all counsel setting sentencing for Tommy Walker III, Gary Miller, Ray Cobb on 11/1/96 at 2:00pm. Raymond Cobbs (ptm) (Entered: 07/26/1996)
08/07/1996	 <a href="#">330</a>	PRESENTENCE INVESTIGATION REPORT ORDERED as to Tommy Walker III. Sentencing scheduled for 11/1/96 at 2:00, in Syracuse. Report due 45 days prior to the sentencing. (fce) (alh, ). (Entered: 08/09/1996)
10/15/1996	 <a href="#">335</a>	CJA 20 Authorization to pay Salvatore J. Piemonte for defendant Tommy Walker III, Amount: \$ 24038.36 Voucher #0588709, sub-voucher #1. ( Signed by Senior Judge Howard G. Munson on 9/17/96 ) (lmp) (alh, ). (Entered: 10/15/1996)
10/25/1996		Sentencing set for 2:00 11/22/96 for Tommy Walker III, for Gary Miller, for Raymond Cobbs in USDC Syracuse, NY Tommy Walker (1) count(s) 1ss, 2ss, 3ss-6ss, 7ss-12ss, 16ss-18ss, 19ss, 26ss, 27ss, Gary Miller (3) count(s) 2ss, 16ss-18ss (ptm) (Entered: 10/25/1996)
11/19/1996	 <a href="#">337</a>	Minute entry as to Tommy Walker III, Gary Miller, Raymond Cobbs : Conference in Chambers: Court and Counsel meet and review scheduling of sentencing hearings as to depts Walker, Cobb and Miller. Judge Munson directs that deft Miller appear for a sentencing hearing on 12/6/96 at 10:00am in USDC Syracuse, NY, and that depts Walker, Cobb and Miller appear for sentencing on 12/20/96 at 2:00pm in USDC Syracuse, NY. Appearnces: AUSA Richard Southwick, AUSA John Duncan for Govt, Salvatore Piemonte for deft Walker, Thomas Shannon for deft Cobb, Jack Clinton for deft Miller. (ptm) (alh, ). (Entered: 11/20/1996)




11/20/1996		Sentencing set for 2:00 12/20/96 for Tommy Walker III, for Gary Miller, for Raymond Cobbs in USDC Syracuse, NY , Tommy Walker (1) count(s) 1ss, 2ss, 3ss-6ss, 7ss-12ss, 16ss-18ss, 19ss, 26ss, 27ss, Gary Miller (3) count(s) 2ss, 16ss-18ss, Raymond Cobbs (4) count(s) 14, 12-13, 1, 2s, 20s-21s, 22s-23s, 24s-25s (ptm) (Entered: 11/20/1996)
12/03/1996	340	ORDER Sealing the next filed documents. ( Signed by Magistrate Judge Gustave J. DiBianco on 12/2/96 ) (fce) (Entered: 12/04/1996)
12/03/1996	341	SEALED DOCUMENT (fce) (Entered: 12/04/1996)
12/03/1996	342	SEALED DOCUMENT (fce) (Entered: 12/04/1996)
12/05/1996	343	ORDER Sealing the next 2 documents. ( Signed by Magistrate Judge Gustave J. DiBianco on 12/4/96 ) (fce) (Entered: 12/05/1996)
12/05/1996	344	SEALED DOCUMENT (fce) (Entered: 12/05/1996)
12/16/1996	 <a href="#">353</a>	Minute entry as to Tommy Walker III: Sentencing Hearing: Court, upon request of deft Walker and Counsel for all Court Reporter/ECRO: Kenneth Crewell (ptm) (alh, ). (Entered: 12/16/1996)
01/02/1997	 <a href="#">356</a>	Minute entry as to Tommy Walker III: Deft Walker appears with Atty. Judge Munson directs parties to proceed with hearing on guideline application of drug weight. Opening remarks by deft Walker and Govt. Witnesses for Govt. Witnesses for Deft Walker. Judge Munson continues hearing to 1/6/97 and directs parties to be to proceed with further proof. Appearances: Tommy Walker, Pro se, Salvatore Piemonte for deft Walker, William D. Walsh for deft, John Duncan, AUSA and Richard Southwick, AUSA for Govt. Court Reporter/ECRO: Vicky Theleman (ptm) (alh, ). (Entered: 01/06/1997)
01/06/1997	 <a href="#">357</a>	Minute entry as to Tommy Walker III: Court and counsel meet for continued hearing on sentencing guideline applications. Witnesses for deft Walker. Argument issue related to witness Laura Snyder, Witness for Govt: Laura Snyder. Judge Munson upon argument by all parties, and proof presented, reserves decision as to all issues and directs parties to submit any further briefing by 1/10/97. Appearances: Richard Southwick, AUSA for Govt, Tommy Walker pro se, and Salvatore Piemonte for deft Walker Court Reporter/ECRO: Vicky Theleman (ptm) Modified on 01/13/1997 (alh, ). (Entered: 01/06/1997)
01/13/1997	 <a href="#">361</a>	CJA 24 as to Tommy Walker III Authorization to Pay Kenneth Crewell \$ 285.50 for Transcript Voucher # 5270401415 ( Signed by Senior Judge Howard G. Munson on 1/7/97 ) (fce) (alh, ). (Entered: 02/14/1997)
01/24/1997		Sentencing set for 2:00 2/12/97 for Tommy Walker III, for Raymond Cobbs in USDC Syracuse, NY (ptm) (Entered: 01/24/1997)
02/12/1997		Sentencing held Tommy Walker (1) count(s) 1ss, 2ss, 3ss-6ss, 7ss-12ss, 16ss-18ss, 19ss, 26ss, 27ss (fce) (Entered: 02/24/1997)
02/12/1997	 <a href="#">365</a>	Minute entry SENTENCING as to Tommy Walker III: Court Reporter: Kenneth Crewell; Hon. Howard Munson, Presiding; Phillip McBrearty, Clerk; AUSA, Richard Southwick for Gov't; Salvatore Piemonte, Esq. W/Tommy Walker; Deft. appears w/Atty. AUSA Richard Southwick moves sentence. Judge Munson rules on guideline application and advises deft. of his right to speak.

		<p>Deft. and Deft's Atty speaks. Judge Munson orders materials presented by deft. Walker marked as Court Exhibit No.: 1, (Tommy Walker) 2/12/97. Judge Munson, upon deft. Tommy Walker's conviction at trial to COUNTS 1,2,3,4,5,6,7,8,9,10,11,12,16,17,18, AND 26 of SECOND SUPERSEDING INDICTMENT 95-CR-101 orders deft committed to the custody of the BOP to be IMPRISONED FOR A TERM OF LIFE. This term of imprisonment CONSIST OF TERMS OF LIFE ON EACH of COUNTS 1,16, and 18; a term of 120 months on each of Counts 3,4,5, and 6; a term of 240 MONTHS on each of Counts 7,8,9, and 17; and a term of 480 MONTHS on each of Counts 10,11, and 12; and a term of 60 MONTHS on Count 26; ALL to be SERVED CONCURRENTLY. Deft. is further ordered to forfeit to the US the sum of \$185,000.00 in satisfaction of Count 27 of the Second Superseding Indictment. In the event deft. is released from imprisonment, deft shall be placed on supervised release for a term of 5 YEARS on Counts 1,10,11,12,16, and 18, and a term of 3 YEARS on each on Counts 3,4,5,6,7,8,9,17 and 26. While on supervised release deft. shall not possess a firearm or other destructive device, shall not commit another crime, shall comply w/all the standard conditions adopted by the Court and the following special conditions 1) deft. is to submit to a substance abuse evaluation and complete treatment as directed by the Probation Office, 2) deft. shall submit to drug/alcohol testing as directed by the Probation Office. It is further order that deft. pay a Special Assessment of \$750.00 to the Clerk of the Court. The Court does not impose a fine or cost. Deft is remanded to the custody of the USMS in accordance w/this sentence. Parties advised of right to appeal. (fce) (jmb, ). (Entered: 02/24/1997)</p>
02/21/1997	 <a href="#">362</a>	<p>Letter "NOTICE OF APPEAL" by Tommy Walker III. Defendant is appealing the final judgment entered on 7/2/96 in this action. Sentencing has not been held for this deft. as of this date. Appeal is Premature. (fce) (alh, ). (Entered: 02/24/1997)</p>
02/21/1997	 <a href="#">362</a>	<p>NOTICE OF APPEAL by Tommy Walker (1) count(s) 1ss, 2ss, 3ss-6ss, 7ss-12ss, 16ss-18ss, 26ss, 27ss. The Judgment, filed on 2/26/97 <a href="#">367</a> did not address count 19ss. Appeal record due on 4/1/97 for Tommy Walker III (fce) (alh, ). (Entered: 03/20/1997)</p>
02/24/1997		<p>Notice of appeal and certified copy of docket as to Tommy Walker III to USCA: There has been no sentencing held for this Deft. as of filing of "Notice of Appeal". (fce) Modified on 02/24/1997 (Entered: 02/24/1997)</p>
02/26/1997	 <a href="#">367</a>	<p>JUDGMENT Tommy Walker (1) count(s) 1ss. BOP for LIFE, Concurrently served W/Supervised Release 60 months. Special Assessment \$750. , Tommy Walker (1) count(s) 1, 1s . Dismissed , Tommy Walker (1) count(s) 2ss. No sentence imposed. , Tommy Walker (1) count(s) 2-6, 2s -10s . Dismissed , Tommy Walker (1) count(s) 3ss-6ss. BOP for 120 months, Concurrently. Supervised Release for 36 months Concurrently. , Tommy Walker (1) count(s) 7ss-12ss. BOP for 240 months on Counts 7ss-9ss, to be served concurrently W/36 months of supervised release. BOP for 480 months on Counts 10ss-12ss, to be served concurrently W/60 months of supervised release. , Tommy Walker (1) count(s) 7-9, 10 , 11s , 15s -17s . Dismissed , Tommy Walker (1) count(s) 16ss-18ss. BOP for Life on Counts 16ss and 18ss, to be served concurrently. Supervised Release of 60 months, to be served concurrently. BOP for 240 months on Count 17ss to be served concurrently W/36 months of supervised</p>


		release upon release. , Tommy Walker (1) count(s) 18s. Dismissed , Tommy Walker (1) count(s) 19s, 20s . Dismissed , Tommy Walker (1) count(s) 26ss. BOP for 60 months, to be served concurrently and supervised release for 36 months, to be served concurrently. , Tommy Walker (1) count(s) 27ss. Forfeiture of \$185,000.00 in satisfaction. ( Signed by Senior Judge Howard G. Munson on 2/26/97 ) (fce) (alh, ). (Entered: 02/27/1997)
03/03/1997		Notice of appeal and certified copy of docket as to Tommy Walker III, Gary Miller to USCA: [364-1] appeal (fce) (Entered: 03/03/1997)
03/12/1997	 <a href="#">371</a>	Post Office returned copy of Notice of Appeal by Tommy Walker III as our records did not show his current address: Sheriff's PSB Jail, P.O. Box 976, Syracuse, NY 13201 (fce) (alh, ). (Entered: 03/12/1997)
03/17/1997	 <a href="#">375</a>	CRIMINAL SCHEDULING ORDER as to Tommy Walker III, re: [362-1] Letter Notice of Appeal; Appeal Record due 4/1/97 (fce) (alh, ). (Entered: 03/20/1997)
03/17/1997		USCA Case Number as to Tommy Walker III Re: [362-1 notice of appeal; USCA Number: 97-1143(L), 97-1144 (fce) (Entered: 03/20/1997)
03/19/1997	 <a href="#">376</a>	Post Office has returned the 2nd mailing to Tommy Walker III (PSB, Syracuse, NY) as "Not Here Return To Sender". The CCA has indicated that Salvatore J. Piemonte is his counsel of record, a copy of these papers were forwarded to him on 3/3/97. (fce) (alh, ). (Entered: 03/21/1997)
03/31/1997	 <a href="#">378</a>	CRIMINAL APPEALS SCHEDULING ORDER # 2 as to Tommy Walker III, Gary Miller, Raymond Cobbs, Appeal Record due set for 4/14/97 for Tommy Walker III, Gary Miller, for Raymond Cobbs for [373-1] appeal, for [362-1] appeal, and for [364-1] appeal (signed by Michelle A. Koker, Case Manager, USCA on 3/25/97 ) (fce) (alh, ). (Entered: 03/31/1997)
03/31/1997	 <a href="#">379</a>	Clerk's Certificate as to Tommy Walker III, Gary Miller, Raymond Cobbs (fce) (alh, ). (Entered: 03/31/1997)
04/04/1997	 <a href="#">381</a>	Judgment Returned Executed as to Tommy Walker III; on 3/13/97 defendant delivered to USP; Lewisburg, PA. (fce) (alh, ). (Entered: 04/07/1997)
04/21/1997	 <a href="#">387</a>	Copy of Receipt from CCA for Index to the Record on appeal dated 4/14/97 Re: Tommy Walker III, Gary Miller, Raymond Cobbs (fce) Modified on 04/21/1997. Modified on 1/29/2016 clerk notes page 87 missing. (alh, ). (Entered: 04/21/1997)
05/13/1997	396	TRANSCRIPT - ( <b>This document does not exist in the file at this time. Document is being refiled on 6/24/97 in Volumes 1-8.</b> ) (drm) Modified on 06/25/1997 Modified on 2/2/2016, <u>Volumes 1-8 located at dkt. nos. 417-424</u> (alh, ). (Entered: 05/13/1997)
06/24/1997	 <a href="#">417</a>	TRANSCRIPT of proceedings held before Hon. Howard G. Munson in case as to Tommy Walker III, Gary Miller, etc., for dates of May 6-9 & 13, 1996, at Syracuse, New York. (fce) Modified on 06/25/1997. (VOLUME ONE, pages 1-589) Modified on 2/2/2016 (alh, ). (Entered: 06/25/1997)
06/24/1997	 <a href="#">418</a>	TRANSCRIPT of proceedings held before Hon. Howard G. Munson as to Tommy Walker III, Gary Miller, etc., for dates of May 14-16, 1996, at Syracuse, New York. (VOLUME 2 - pages 590 - 1187) (fce) Modified on

		06/25/1997 (alh, ). Modified on 2/1/2016 Clerk notes pages 887, 918, and 919 missing(alh, ). (Entered: 06/25/1997)
06/24/1997	 <a href="#">419</a>	TRANSCRIPT of Trial held before Hon Howard G. Munson as to Tommy Walker III, Gary Miller, etc., held on May 20-23, 1996. (Volume 3 - pages 1188-1714) (fce) Modified on 06/25/1997. Modified on 2/2/2016 - to add document to docket entry (rep). (Entered: 06/25/1997)
06/24/1997	 <a href="#">420</a>	TRANSCRIPT filed in case as to Tommy Walker III, Gary Miller, etc. before Hon. Howard Munson, at Syracuse, NY, held on May 29-31, 1996. (Volume 4, pages 1715-2201) (fce) Modified on 06/25/1997 (Additional attachment(s) added on 1/29/2016: # <a href="#">1</a> Transcript - Part 2 - Pages 1951 - 2201) (jmb, ). (Entered: 06/25/1997)
06/24/1997	 <a href="#">421</a>	TRANSCRIPT of Trial held before Hon. Howard Munson in Syracuse, New York as to Tommy Walker III, Gary Miller, on June 4,5, & 7, 1996. (Volume 5, pages 2204-2768) (fce) Modified on 06/25/1997 to add document to docket entry (rep). (Entered: 06/25/1997)
06/24/1997	 <a href="#">422</a>	TRANSCRIPT of Trial proceeding before Hon Howard G. Munson in Syracuse, NY, as to Tommy Walker III, Gary Miller, etc., on June 10-13, 1996. (Volume 6, pages 2769-3404) (fce) Modified on 06/25/1997 (alh, ). (Main Document 422 replaced on 8/31/2017) (rep, ). (Entered: 06/25/1997)
06/24/1997	 <a href="#">423</a>	TRANSCRIPT of Trial proceedings before Hon. Howard G. Munson as to Tommy Walker III, Gary Miller, etc., held on June 17-20, 1996, at Syracuse, NY. (Volume 7, pages 3405-3890) (fce) Modified on 06/25/1997 Modified on 2/4/2016 (alh, ). (alh, ). (Entered: 06/25/1997)
06/24/1997	 <a href="#">424</a>	TRANSCRIPT of Trial proceeding before Hon. Howard Munson as to Tommy Walker III, Gary Miller, etc., held on June 24-26, 1996. (Volume 8, pages 3891-4289) (fce) Modified on 06/25/1997 Modified on 2/4/2016 (alh, ). (alh, ). (Entered: 06/25/1997)
06/24/1997	 <a href="#">425</a>	TRANSCRIPT of Trial proceedings before Hon. Howard G. Munson as to Tommy Walker III, Gary Miller, etc., for dates of June 27, 1997 and July 1-3, 1996. (Volume 9, pages 4290-4531) (fce) (alh, ). (Entered: 06/25/1997)
07/02/1997	 <a href="#">429</a>	TRANSCRIPT filed in case as to Tommy Walker III of Sentencing Hearing for dates of 1/2/97 (amt) (alh, ). (Entered: 07/03/1997)
07/14/1997	 <a href="#">433</a>	TRANSCRIPT in case as to Tommy Walker III, Gary Miller, Raymond Cobbs, Cynthia Chaney, Horraine Howard Re: motion held on July 11, 1996, before Hon. Howard G. Munson. (fce) (alh, ). (Entered: 07/15/1997)
08/08/1997	 <a href="#">440</a>	CJA 24 as to Tommy Walker III Authorization to Pay Vicky Theleman \$ 780.00 for Transcript Voucher # 5271104243 ( Signed by Senior Judge Howard G. Munson on 7/25/97 ) (fce) (alh, ). (Entered: 08/12/1997)
10/08/1997	 <a href="#">442</a>	PRELIMINARY ORDER OF FORFEITURE as to Tommy Walker III, The judgment of forfeiture in the amount of \$185,000.00 may be satisfied from any other property owned by the defendant or held for the defendant's benefit. ( Signed by Senior Judge Howard G. Munson on 10/8/97 ) (fce) (alh, ). (Entered: 10/10/1997)


11/26/1997	 <a href="#">444</a>	Notice of Receipt of Index to the record on appeal sent by the Second Circuit Court of Appeals, dtd 11/20/97. (dmf) (alh, ). Modified on 2/1/2016, Clerk notes pages 47-58 are missing. (alh, ). (Entered: 12/04/1997)
12/09/1997	 <a href="#">445</a>	TRANSCRIPT as to Tommy Walker III Sentencing held on February 12, 1997 before Hon. Howard G. Munson. (fce) (alh, ). (Entered: 12/11/1997)
12/29/1997	 <a href="#">446</a>	CJA 24 as to Tommy Walker III Authorization to Pay Kenneth Crewell \$ 99.00 for Transcript Voucher # 5280301206 ( Signed by Senior Judge Howard G. Munson on 12/15/97 ) (fce) (alh, ). (Entered: 12/29/1997)
01/12/1998	 <a href="#">449</a>	MANDATE OF USCA (certified copy dated 1/8/98) as to Tommy Walker III and Raymond Cobbs Re: [373-1] notice of appeal, [362-1] notice of appeal is hereby DISMISSED. (dmf) (alh, ). (Entered: 01/23/1998)
01/20/1998	 <a href="#">448</a>	TRANSCRIPT filed in case as to Tommy Walker III and Lorraine Howard, held on 11/21/95, before Hon. Gustave DiBianco. (fce) (alh, ). (Entered: 01/21/1998)
02/23/1998	 <a href="#">450</a>	REINSTATEMENT OF APPEAL (Certified Copy dated 2/18/98) as to Tommy Walker III and that Salvatore J. Piemonte is relieved as counsel for the defendant appellant. (dmf) (alh, ). (Entered: 02/25/1998)
04/15/1998	 <a href="#">454</a>	Notice of receipt of index to the record on appeal by the Second Circuit Court of Appeals as to Tommy Walker III, dated 3/26/98. (dmf) (alh, ). Modified on 2/1/2016, clerk notes pages 1-10 of the docket report missing (alh, ). (Entered: 04/16/1998)
01/13/1999		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 41091 (mfd) (Entered: 02/25/1999)
04/27/1999		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 42505 (mfd) (Entered: 05/11/1999)
07/09/1999		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 42805 (mfd) (Entered: 07/12/1999)
10/12/1999		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 45149 (mfd) (Entered: 11/05/1999)
01/18/2000		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 46546 (mfd) (Entered: 01/19/2000)
03/31/2000		Original Govt. Exhibits Returned. (dmf) (Entered: 03/31/2000)
04/05/2000	 <a href="#">468</a>	MANDATE OF USCA (certified copy dated 3/29/00) as to Tommy Walker III, Gary Miller, Raymond Cobbs; the Judgment of said District Court be and it hereby is AFFIRMED (dmf) Modified on 04/06/2000. (jmb) (Entered: 04/06/2000)
05/22/2000		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 48137 (mfd) (Entered: 05/24/2000)
07/17/2000		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 48412 (mfd) (Entered: 07/26/2000)
10/16/2000		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 50355 (mfd) (Entered: 10/26/2000)


04/17/2001		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 53225 (mfd) (Entered: 04/19/2001)
07/16/2001		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 59622 (mfd) (Entered: 08/01/2001)
10/16/2001		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 61560 (mfd) (Entered: 10/17/2001)
01/14/2002		RECEIPT for Payment of special assessment paid by Tommy Walker III AMOUNT \$ 25.00 Receipt # 63011 (mfd) (Entered: 01/23/2002)
08/13/2002	489	SEALED DOCUMENT (ptm) (Entered: 08/14/2002)
02/11/2004	 <a href="#">497</a>	ORDER as to Tommy Walker III; Court denies 2255 motion filed in civil action 00-cv-1112 . Signed by Judge Howard G. Munson on 2/11/04. (kcl, ) (Entered: 02/17/2004)
02/05/2008	<a href="#">511</a>	ORDER REASSIGNING CASE as to all Defendants. Senior Judge Howard G. Munson no longer assigned to case. Case reassigned to Judge Chief Judge Norman A. Mordue for all further proceedings. Signed by Chief Judge Norman A. Mordue on 2/5/08. (amt) (Entered: 02/05/2008)
03/13/2008	<a href="#">512</a>	MOTION for Relief from Judgment by Tommy Walker, III. (amt) (Entered: 03/14/2008)
04/03/2008		NOTICE OF HEARING ON MOTION as to Tommy Walker, III <a href="#">512</a> MOTION to Set Aside Judgment. Response to Motion due by 4/14/2008. No reply allowed. (jlr) (Entered: 04/03/2008)
04/11/2008	<a href="#">513</a>	Letter from Richard Southwick as to Tommy Walker, III requesting an extension of time (Southwick, Richard) (Entered: 04/11/2008)
08/04/2008		TEXT ORDER granting the <a href="#">513</a> Letter from Richard Southwick as to Tommy Walker, III requesting an extension of time. The response is due on or before 8/25/08. Endorsed by Chief Judge Norman A. Mordue on 8/4/08. (jlr) (Entered: 08/04/2008)
08/25/2008	<a href="#">514</a>	RESPONSE in Opposition by USA as to Tommy Walker, III re <a href="#">512</a> MOTION to Set Aside Judgment (Attachments: # <a href="#">1</a> Exhibit(s) Sealed, # <a href="#">2</a> Exhibit(s) Order, # <a href="#">3</a> Exhibit(s) Memorandum-Decision and Order, # <a href="#">4</a> Exhibit(s) Summary Order, # <a href="#">5</a> Exhibit(s) Civil Judgment, # <a href="#">6</a> Exhibit(s) Order) (Southwick, Richard) (Entered: 08/25/2008)
08/25/2008	<a href="#">515</a>	Certificate of Service by USA as to Tommy Walker, III re <a href="#">514</a> Response in Opposition, (Southwick, Richard) (Entered: 08/25/2008)
08/26/2008	 <a href="#">516</a>	SEALED DOCUMENT - maintained in Clerk's Office and not available for electronic viewing (lmw) (rjb, ). (Entered: 08/26/2008)
08/26/2008	 <a href="#">517</a>	Order to Seal Document # <a href="#">516</a> . Signed by Chief Judge Norman A. Mordue on 8/26/08. (lmw) (rjb, ). (Entered: 08/26/2008)
09/17/2008	<a href="#">518</a>	Letter to Judge Mordue as to Tommy Walker, III, requesting additional time to file objections/reply to the government's response. (jmb) (Entered: 09/23/2008)

09/23/2008	<a href="#">519</a>	REPLY TO RESPONSE TO MOTION: filed by by Tommy Walker, III, in further support of the # <a href="#">512</a> Motion to Set Aside Judgment, and in opposition to the Response. (Attachments: # <a href="#">1</a> Mailing Envelope) (jmb) (Entered: 09/23/2008)
09/25/2008		TEXT ORDER as to Tommy Walker, III granting <a href="#">518</a> Letter Request filed by Tommy Walker, III. The Court will accept the <a href="#">519</a> Reply to Response filed by Tommy Walker, III. No further submissions will be permitted. Endorsed by Chief Judge Norman A. Mordue on 9/25/08. (jlr/kf) (Entered: 09/25/2008)
07/07/2010	<a href="#">520</a>	MEMORANDUM-DECISION AND ORDER denying Deft's <a href="#">512</a> Motion for relief from judgment. Signed by Chief Judge Norman A. Mordue on 7/7/2010. (amt) [Deft served via reg. mail] (Entered: 07/07/2010)
07/21/2010	<a href="#">521</a>	NOTICE OF APPEAL by Tommy Walker, III re <a href="#">520</a> Order on Motion to Set Aside Judgment (sfp, ) (Entered: 07/21/2010)
07/21/2010	<a href="#">522</a>	ELECTRONIC NOTICE AND CERTIFICATION as to Tommy Walker, III sent to US Court of Appeals re <a href="#">521</a> Notice of Appeal - Final Judgment (sfp, ) (Entered: 07/21/2010)
07/22/2010	<a href="#">523</a>	NOTICE OF APPEAL by Tommy Walker, III re <a href="#">520</a> Order on Motion to Set Aside Judgment (amt) (Entered: 07/22/2010)
07/22/2010	<a href="#">524</a>	Supplemental (Amended) Electronic Certification Sent to USCA as to Tommy Walker, III re <a href="#">521</a> and <a href="#">523</a> Notices of Appeal. (amt) (Entered: 07/22/2010)
07/26/2010	<a href="#">525</a>	MOTION to Alter / Amend Judgment by Tommy Walker, III. (Attachments: # <a href="#">1</a> Mailing Envelope)(amt) (Entered: 07/26/2010)
09/08/2010		USCA Case Number is 10-2963-cr for <a href="#">521</a> Notice of Appeal (amended at <a href="#">523</a> Appeal) filed by Tommy Walker, III. (cbm ) (Entered: 09/08/2010)
09/21/2010	<a href="#">526</a>	MOTION for Leave to Appeal In Forma Pauperis, filed by Tommy Walker, III. Original Attorney was retained, then was assigned Counsel from the CJA Panel. Motion before Chief Judge Norman A. Mordue. (jmb) (Entered: 09/24/2010)
10/06/2010	<a href="#">527</a>	Documents #516 & 517 as to Tommy Walker, III, sent to USCA Attn. C. Mathias, as requested. Fed-Ex Tracking #870884194168. (mnm) (Entered: 10/06/2010)
03/01/2011	<a href="#">528</a>	MEMORANDUM-DECISION AND ORDER denying Petitioner's <a href="#">525</a> Motion to Alter Judgment and denying Petitioner's <a href="#">526</a> Motion for Leave to Appeal In Forma Pauperis. Signed by Chief Judge Norman A. Mordue on 3/1/2011. (amt) [Petitioner served via reg. mail] (Entered: 03/01/2011)
03/18/2011	<a href="#">529</a>	NOTICE OF APPEAL by Tommy Walker, III re <a href="#">528</a> Order on Motion to Alter Judgment, Order on Motion for Leave to Appeal In Forma Pauperis. (sfp, ) (Entered: 03/18/2011)
03/18/2011	<a href="#">530</a>	ELECTRONIC NOTICE AND CERTIFICATION as to Tommy Walker, III sent to US Court of Appeals re <a href="#">529</a> Notice of Appeal - Final Judgment (sfp, ) (Entered: 03/18/2011)
09/23/2011	<a href="#">531</a>	MANDATE of USCA, issued 6/3/11, dismissing Tommy Walker, III's <a href="#">521</a> and <a href="#">523</a> appeals. (cbm ) (Entered: 09/23/2011)

09/23/2011	<a href="#">532</a>	MANDATE of USCA, issued 6/13/11, dismissing Tommy Walker, III's <a href="#">529</a> appeal for appellant's default. (cbm ) (Entered: 09/23/2011)
06/13/2012	<a href="#">534</a>	MOTION to Vacate under 28 U.S.C. 2255 by Tommy Walker, III. (Attachments: # <a href="#">1</a> Mailing Envelope)(mnm) Civil case 5:12-cv-00962-NAM opened. (Entered: 06/13/2012)
06/18/2012		The Clerk has mailed the original Memorandum of Law in support of Motion to Vacate, attachment # 1 to the # 535 Motion Rejection Order event as to Tommy Walker, III, per direction of the Court. {Original document sent to Tommy Walker at United States Penitentiary in Lewisburg, PA by regular mail with a copy of the Order} (jmb) (Entered: 06/18/2012)
06/27/2012	<a href="#">536</a>	COURT ORDER directing the Govt to respond to Deft Tommy Walker's <a href="#">534</a> MOTION to Vacate under 28 U.S.C. 2255. Response to Motion due by 7/26/2012. Signed by Judge Norman A. Mordue on 6/26/2012. (amt) [Deft served via reg. mail] (Entered: 06/27/2012)
06/27/2012	<a href="#">537</a>	Letter as to Tommy Walker, III requesting Extension of time to file Government's response to 2255 Motion (Southwick, Richard) (Entered: 06/27/2012)
06/28/2012	 <a href="#">538</a>	Letter dated 6/4/2012 from Tommy Walker, III, Pro Se requesting correction of the Presentence Investigation Report. (Attachments: # <a href="#">1</a> Restricted Attachments) {Note: this document was received in chambers on 6/18/2012, at the direction of Judge Mordue's chambers it was file stamped today for docketing and two of the attachments have been restricted as they contain personal identifiers.} (jmb) (Entered: 06/28/2012)
07/02/2012	<a href="#">539</a>	ORDER granting Govt's <a href="#">537</a> Letter Request for an extension of time to respond to Petitioner's 2255 motion. Govt's Response to Motion due by 8/22/2012. Signed by Judge Norman A. Mordue on 7/2/2012. (amt) [Petitioner served via reg. mail] (Entered: 07/03/2012)
08/09/2012	<a href="#">542</a>	MOTION to Consolidate Cases pursuant to Federal Rule of Civil Procedure 42(a)(2) in conjunction with his Motion to Vacate - 28 USC 2255, filed by Tommy Walker, III, Pro Se. (Attachments: # <a href="#">1</a> Memorandum of Law) (jmb) (Entered: 08/10/2012)
08/14/2012	<a href="#">543</a>	Letter as to Tommy Walker, III requesting Extension of time to file Government's response to 2255 Motion (Southwick, Richard) (Entered: 08/14/2012)
09/04/2012	<a href="#">544</a>	REQUEST and ORDER, as to Tommy Walker, III, granting Govt's <a href="#">543</a> Letter Request to file their Response to the 2255 motion by 10/9/2012. Signed by Judge Norman A. Mordue on 9/4/12. [Served by mail.](sfp, ) (Entered: 09/04/2012)
09/25/2012	<a href="#">545</a>	MOTION to Supplement/Amend/Correct the # <a href="#">534</a> Motion to Vacate under 28 U.S.C. 2255 filed by Tommy Walker, III. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Supporting Exhibits, # <a href="#">3</a> Cover Letter) {The Clerk notes for clarification that page 54 of the docket sheet attached to the supporting exhibits was not included, the pages skip from 53 to 55} (jmb) (Entered: 09/27/2012)

09/28/2012	<a href="#">546</a>	Letter as to Tommy Walker, III requesting Extension of time to file Government's response to 2255 Motion (Southwick, Richard) (Entered: 09/28/2012)
01/15/2013	<a href="#">547</a>	Letter as to Tommy Walker, III requesting Extension to file Government's Response to 2255 Motion (Southwick, Richard) (Entered: 01/15/2013)
01/15/2013	<a href="#">548</a>	ORDER granting Government's <a href="#">547</a> Letter Request for an extension of time to file a response to the Petitioner's motions. Response to Motion due by 1/22/2013. Signed by Judge Norman A. Mordue on 1/15/2013. (amt) [Deft served via reg. mail] (Entered: 01/16/2013)
01/22/2013	<a href="#">549</a>	RESPONSE in Opposition by USA as to Tommy Walker, III, Raymond Cobbs re <a href="#">534</a> MOTION to Vacate under 28 U.S.C. 2255, 540 MOTION to Vacate under 28 U.S.C. 2255 (Attachments: # <a href="#">1</a> Certificate of Service, # <a href="#">2</a> Certificate of Service)(Southwick, Richard) (Entered: 01/22/2013)
01/28/2013	<a href="#">550</a>	REPLY TO RESPONSE to Motion by Tommy Walker, III re <a href="#">534</a> MOTION to Vacate under 28 U.S.C. 2255 - **STRICKEN PURSUANT TO THE COURT'S <a href="#">551</a> ORDER**. (amt) Modified on 1/30/2013 (amt). (Entered: 01/30/2013)
01/30/2013	<a href="#">551</a>	ORDER TO STRIKE Defendant Walker's <a href="#">550</a> Reply to Response to motion. Signed by Judge Norman A. Mordue on 1/30/2013. (amt) [Deft served via reg. mail] (Entered: 01/30/2013)
02/04/2013	<a href="#">552</a>	REPLY TO RESPONSE to Motion by Tommy Walker, III re <a href="#">534</a> MOTION to Vacate under 28 U.S.C. 2255 (amt) - STRICKEN PER COURT'S <a href="#">553</a> ORDER. Modified on 2/8/2013 (amt). (Entered: 02/06/2013)
02/08/2013	<a href="#">553</a>	ORDER TO STRIKE as to Tommy Walker, III: The Petitioner's <a href="#">552</a> Reply to Response is stricken from the docket and will not be considered by the Court. Signed by Judge Norman A. Mordue on 2/8/2013. (amt) [Deft served via reg. mail] (Entered: 02/08/2013)
02/21/2013	<a href="#">554</a>	MOTION for a court conference and/or for clarification re: the Court's Strike Orders by Tommy Walker, III. (amt) (Entered: 02/21/2013)
02/22/2013	<a href="#">555</a>	MEMORANDUM-DECISION AND ORDER denying Petitioner's <a href="#">554</a> Motion for a conference and directing the Govt to file corrective response papers. Signed by Judge Norman A. Mordue on 2/22/2013. (amt) [Deft served via reg. mail] (Entered: 02/22/2013)
02/22/2013		Set Deadlines: Govt's corrective Response to Motion due by 3/8/2013, in accordance with the Court's <a href="#">555</a> Memorandum-Decision and Order. (amt) (Entered: 02/22/2013)
03/01/2013	<a href="#">556</a>	RESPONSE in Opposition by USA as to Tommy Walker, III re <a href="#">534</a> MOTION to Vacate under 28 U.S.C. 2255 (Attachments: # <a href="#">1</a> Certificate of Service) (Southwick, Richard) (Entered: 03/01/2013)
03/20/2013	<a href="#">560</a>	MOTION for Leave to File reply and/or corrective papers by Tommy Walker, III. (amt) (Entered: 03/20/2013)
05/09/2013	<a href="#">561</a>	MEMORANDUM OF LAW/CITATION OF SUPPLEMENTAL AUTHORITIES in support of <a href="#">534</a> Motion to Vacate (2255), filed by Tommy Walker. (mnm) (Entered: 05/10/2013)

07/19/2013	<a href="#">563</a>	MOTION: requesting leave to Amend the # <a href="#">534</a> Motion to Vacate under 28 U.S.C. 2255, filed by Tommy Walker, III. (nmk) (Entered: 07/19/2013)
07/24/2013	<a href="#">564</a>	ADDITIONAL MOTION to Amend/Correct the # <a href="#">534</a> Motion to Vacate under 28 U.S.C. 2255 filed by Tommy Walker, III, Pro Se. (jmb) (Entered: 07/29/2013)
04/18/2014	<a href="#">566</a>	MEMORANDUM-DECISION AND ORDER re motions by Tommy Walker III: It is ORDERED that the # <a href="#">542</a> Motion to Consolidate is DENIED. It is further ORDERED that the # <a href="#">545</a> Motion to supplement, amend, or correct the petition is GRANTED. It is further ORDERED that the # <a href="#">560</a> Motion for Leave to File a reply and/or corrective papers is GRANTED. It is further ORDERED that the # <a href="#">563</a> Motion to Amend the petition is GRANTED. It is further ORDERED that the # <a href="#">564</a> Motion to Amend the petition is GRANTED. It is further ORDERED that the Clerk of Court shall transfer the # <a href="#">534</a> Motion to Vacate (2255) and all petitioner's submissions in support thereof to the Clerk of Court for the United States Court of Appeals for the Second Circuit, pursuant to 28 U.S.C. § 1631, for a determination under 28 U.S.C. § 2244 and 28 U.S.C. § 2255(h) of whether to authorize petitioner to file a second or successive motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. It is further ORDERED that the Clerk of Court is further directed to close the case, Walker v. United States, 5:12-CV-962, for administrative purposes. Signed by Senior Judge Norman A. Mordue on 4/18/2014. [Copy served upon pro se defendant via regular mail.] (nmk) Civil Case 5:12-cv-00962-NAM closed. (Entered: 04/18/2014)
04/21/2014	<a href="#">568</a>	NOTICE: to U.S Court of Appeals regarding the # <a href="#">566</a> Memorandum-Decision and Order transferring the # <a href="#">534</a> Motion to Vacate under 28 U.S.C. 2255. [Copy sent to pro se defendant via regular mail. Copy of this Notice and the # <a href="#">566</a> Memorandum-Decision and Order e-mailed to Court of Appeals.] (nmk) (Entered: 04/21/2014)
06/06/2014	569	TEXT ORDER: Document Nos. 516 and 517 were ordered sealed by District Judge Norman A. Mordue. These documents were not uploaded to CM/ECF at the time of filing based on the practice of the Northern District of New York as outlined in General Order 22. Based on guidance issued by the Committee on Court Administration and Case Management, these documents are now being uploaded to CM/ECF with the restriction level of SEALED, accessible only by the Court. The uploaded documents are considered the original filed document(s), therefore, the Clerk is directed to shred the paper documents after they have been uploaded to the CM/ECF system. Authorized by Chief Judge Gary L. Sharpe on 6/6/14. (rjb, ) (Entered: 06/06/2014)
06/06/2014		<b>***Dkt. Nos. 1-509 have been shipped to the Federal Records Center; Storage Information on this Closed Case: Accession Number 021-06-0057, Box 7-10 of 10, Location G2-4-2-4</b> (rjb, ) (Entered: 06/06/2014)
07/23/2014	 <a href="#">570</a>	MOTION: to Expedite the attached Rule 36 Motion, which was previously filed at dkt. no. <a href="#">538</a> as a Letter, not a motion, filed by Tommy Walker, III. The Clerk notes that the defendant provided the Presentence Investigation Report as an exhibit to this motion. The Presentence Investigation Report is a document that is lodged with the Court and is not available for public view. This document will not be attached to the filing, however it will be maintained in chambers and

		will be considered with this motion. Further, the Clerk notes that this motion was received by the Court on 6/13/2014 and was reviewed in chambers. At the direction of Judge Mordue's chambers it was filed and docketed as of today's date. Further, the Clerk notes that the # 2 attachment - Judgment is restricted as the document contains personal identifiers. (Attachments: # <a href="#">1</a> Rule 36 Motion, # <a href="#">2</a> Judgment, # <a href="#">3</a> Mailing Envelope) (nmk) (Entered: 07/23/2014)
07/23/2014		TEXT NOTICE OF HEARING ON MOTION: as to Tommy Walker, III regarding the # <a href="#">570</a> MOTION to Expedite. Government's Response to Motion due by 8/22/2014. [Copy served upon pro se defendant via regular mail.] (nmk) (Entered: 07/23/2014)
08/22/2014	<a href="#">571</a>	Letter from Richard R. Southwick as to Tommy Walker, III requesting extension of time to respond to defendant's Rule 36 application (Southwick, Richard) (Entered: 08/22/2014)
08/22/2014	<a href="#">572</a>	ORDER: Granting the # <a href="#">571</a> Letter Request for an extension of time to respond filed by USA as to Tommy Walker, III. Response to Motion reset to 9/4/2014. Signed by Senior Judge Norman A. Mordue on 8/22/2014. [Copy served to pro se defendant via regular mail.] (mc) (Entered: 08/25/2014)
09/04/2014	<a href="#">573</a>	RESPONSE in Opposition by USA as to Tommy Walker, III re <a href="#">570</a> MOTION to Expedite (Southwick, Richard) (Entered: 09/04/2014)
09/26/2014	 <a href="#">574</a>	<b>**STRICKEN**</b> REPLY TO RESPONSE to Motion filed by Tommy Walker, III regarding # <a href="#">570</a> MOTION to Expedite. (mc) Modified on 9/29/2014 filing stricken from the docket, and docket entry restricted pursuant to the # <a href="#">575</a> Order (mc) (Entered: 09/29/2014)
09/29/2014	<a href="#">575</a>	ORDER TO STRIKE: It is ORDERED that the # <a href="#">574</a> Reply to Response shall be stricken from the docket for the reasons noted herein. Because Defendant's submission is being stricken from the docket, it will not be considered by the Court. Further the Clerk is directed to restrict the # <a href="#">574</a> Reply. Signed by Senior Judge Norman A. Mordue on 9/29/2014. [Copy of Strike Order and General Order # 22 sent to pro se defendant via regular mail.] (mc) (Entered: 09/29/2014)
10/09/2014	<a href="#">576</a>	COPY OF USCA MANDATE: as to Tommy Walker, III. Petitioner, pro se, moves to consolidate these proceedings and for permission to file a 28 U.S.C. § 2241 petition in the United States District Court for the Northern District of New York. We construe the latter request as a motion to remand the matter to the district court for consideration under § 2241 pursuant to the savings clause of 28 U.S.C. § 2255(e). Upon due consideration, it is hereby ORDERED that the motion to consolidate is GRANTED. It is further ORDERED that the motion to remand is DENIED because it is plain on the existing record that [Petitioner] cannot demonstrate actual innocence. Cephass v. Nash, 328 F.3d 98, 100 (2d Cir. 2003); see also Triestman v. United States, 124 F.3d 361, 380 (2d Cir. 1997). Although Petitioner argues that his conduct was decriminalized by Burrage v. United States, 134 S. Ct. 881 (2014), Moncrieffe v. Holder, 133 S. Ct. 1678 (2013), and DePierre v. United States, 131 S. Ct. 2225 (2011), none of the cited cases support this contention. Furthermore, Petitioner has not demonstrated that his right-to-counsel claim, based on United States v. Gonzalez-Lopez, 548 U.S. 140 (2006), was previously unavailable to him. To the extent that Petitioners


		challenge to his underlying conviction and sentence may be construed as a motion for leave to file a successive § 2255 motion, it is hereby ORDERED that the motion is DENIED because Petitioner has not satisfied the criteria set forth in 28 U.S.C. § 2255(h). [Mandate issued on 10/9/2014, although no appeal is pending in this criminal case it was here and also docketed in case no. 9:14-cv-489.] (mc) (Entered: 10/10/2014)
12/01/2014	<a href="#">577</a>	MEMORANDUM-DECISION & ORDER: Denying the # <a href="#">570</a> Motion to Expedite, and the Rule 36 Motion to Correct Information in his Presentence Investigation Report as to Tommy Walker III (1). {Copy of Order sent to defendant Tommy Walker by regular mail} Signed by Senior Judge Norman A. Mordue on 12/1/2014. (jmb) (Entered: 12/02/2014)
12/19/2014	<a href="#">578</a>	NOTICE OF APPEAL: Filed by Tommy Walker, III, Pro Se, appealing the # <a href="#">577</a> Order on the Motion to Expedite. No appeal fee received. (rep) (Entered: 12/23/2014)
12/22/2014	<a href="#">580</a>	MOTION for Reconsideration: Filed by Tommy Walker, Pro Se, as to the # <a href="#">577</a> Order on the Motion to Expedite. (rep) (Entered: 12/23/2014)
12/23/2014	<a href="#">579</a>	ELECTRONIC NOTICE AND CERTIFICATION: As to Tommy Walker, III, Pro Se, sent to the U.S. Court of Appeals regarding the # <a href="#">578</a> Notice of Appeal. Served via regular mail upon Tommy Walker at USP - Lewisberg. (rep) (Entered: 12/23/2014)
12/23/2014		NOTICE: As to Tommy Walker, III, Pro Se, the # <a href="#">580</a> MOTION for Reconsideration regarding the <a href="#">577</a> Order on Motion to Expedite -the Government's Response to the Motion is due by 1/20/2015. Reply to Response to Motion due by 1/26/2015. Motion IS ON SUBMIT before Senior Judge Norman A. Mordue. (rep) (Entered: 12/23/2014)
12/24/2014		TEXT NOTICE: The Government's Response to the # <a href="#">580</a> MOTION for Reconsideration regarding the # <a href="#">577</a> Order on Motion to Expedite, as stated in the previous text notice is due January 20, 2015. However, NO FURTHER SUBMISSIONS WILL BE ACCEPTED by either party without prior permission from the Court. Therefore, the Reply to Response deadline is terminated. The motion still remains ON SUBMIT before Senior Judge Norman A. Mordue. A copy of this notice was sent to Defendant Tommy Walker, III at Lewisburg Penitentiary where he is currently housed. (rep) (Entered: 12/24/2014)
01/20/2015	<a href="#">581</a>	Letter from AUSA Richard R. Southwick as to Tommy Walker, III requesting extension of time until January 27, 2015 to respond to Mr. Walker's motion for reconsideration (Document Number 580) regarding the Order on motion to expedite (Document Number 577). (Southwick, Richard) (Entered: 01/20/2015)
01/27/2015	<a href="#">582</a>	RESPONSE in Opposition by USA as to Tommy Walker, III re <a href="#">580</a> MOTION for Reconsideration re <a href="#">577</a> Order on Motion to Expedite, (Southwick, Richard) (Entered: 01/27/2015)
05/01/2015	<a href="#">583</a>	LETTER: From Tommy Walker, III, Pro Se, requesting a status update on his case. {The clerk sent a copy of Walker's docket sheet to him at LEWISBURG U.S. PENITENTIARY, Inmate Mail/Parcels, P.O. BOX 1000, LEWISBURG, PA 17837 via U.S. Postal Mail}. (rep) (Entered: 05/08/2015)

05/13/2015	<a href="#">584</a>	ORDER: Denying the # <a href="#">580</a> Motion for Reconsideration of the # <a href="#">577</a> Order on Motion to Expedite, as to Tommy Walker, III. It is ORDERED that the clerk also serve copies of this Order in accordance with the Local Rules of the Northern District of New York. Signed by Senior Judge Norman A. Mordue on May 13, 2015. {The clerk has sent a copy of this Order to Tommy Walker, Pro Se, at LEWISBURG U.S. PENITENTIARY, Inmate Mail/Parcels, P.O. BOX 1000, LEWISBURG, PA 17837}. (rep) (Entered: 05/13/2015)
05/21/2015	<a href="#">585</a>	MANDATE of USCA: as to Tommy Walker, III and Tracey Blackwell - regarding the # <a href="#">578</a> Notice of Appeal - Final Judgment, filed by Tommy Walker, III. Mandate issued on 5/19/2015. {The mandate notes Defendant Tracey Blackwell, however, there is no current appeal that pertains to her pending in District Court}. (rep) (Entered: 05/21/2015)
06/01/2015	<a href="#">586</a>	NOTICE OF APPEAL: Filed by Tommy Walker, III, Pro Se, regarding the # <a href="#">584</a> Order on Motion for Reconsideration. {Envelope attached}. (rep) (Entered: 06/02/2015)
06/02/2015	<a href="#">587</a>	ELECTRONIC NOTICE AND CERTIFICATION: As to Tommy Walker, III, Pro Se - Notice sent to the U.S. Court of Appeals regarding the # <a href="#">586</a> Notice of Appeal - Final Judgment. (rep) (Entered: 06/02/2015)
06/02/2015		The clerk sent a copy of the # <a href="#">587</a> Electronic Notice and Certification to Tommy Walker at LEWISBURG U.S. PENITENTIARY, Inmate Mail/Parcels, P.O. BOX 1000, LEWISBURG, PA 17837, via regular U.S. Postal Mail. (rep) (Entered: 06/02/2015)
09/01/2015	<a href="#">588</a>	MANDATE OF USCA: As to Tommy Walker, III - Appellant, pro se, moves for leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the # <a href="#">586</a> appeal is DISMISSED because it lacks an arguable basis either in law or in fact. Neitzke v. Williams, 490 U.S. 319, 325 (1989); see also 28 U.S.C. § 1915(e). {Mandate issued 9/1/2015}(rep) (Entered: 09/01/2015)
01/05/2016	<a href="#">589</a>	MOTION: for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582, filed by Tommy Walker, III, Pro Se. (rep) Modified on 9/12/2016 (jlm). (Entered: 01/08/2016)
01/08/2016	<a href="#">590</a>	(VACATED PURSUANT TO THE <a href="#">596</a> ORDER) ORDER: Denying the # <a href="#">589</a> Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582 as to Tommy Walker III (1). Signed by Senior Judge Norman A. Mordue on January 8, 2016. {A copy of this Order was sent to the Pro Se Defendant at LEWISBURG U.S. PENITENTIARY - Inmate Mail/Parcels, P.O. BOX 1000 LEWISBURG, PA 17837}. (rep) Modified on 5/3/2016 (jlm). (Entered: 01/08/2016)
01/21/2016	<a href="#">591</a>	MOTION: For Reconsideration of the # <a href="#">590</a> Order on the Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582, filed by Tommy Walker, III. (rep) (Entered: 01/21/2016)
01/25/2016	<a href="#">592</a>	NOTICE OF APPEAL: Filed by Tommy Walker, III appealing the # <a href="#">590</a> Order denying the Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582. {Envelope attached}. (rep) (Entered: 01/25/2016)

01/25/2016	<a href="#">593</a>	ELECTRONIC NOTICE AND CERTIFICATION: As to Tommy Walker, III sent to US Court of Appeals regarding the # <a href="#">592</a> Notice of Appeal - Final Judgment. {The clerk mailed a copy of this certification to the Pro Se Defendant at LEWISBURG U.S. PENITENTIARY, Inmate Mail/Parcels, P.O. BOX 1000, LEWISBURG, PA 17837 via regular U.S. Postal Mail}. (rep) (Entered: 01/25/2016)
02/03/2016		USCA Case Number as to Tommy Walker, III 16-238 for <a href="#">592</a> Notice of Appeal filed by Tommy Walker, III. (alh, ) (Entered: 02/03/2016)
02/26/2016	<a href="#">594</a>	Supplemental Electronic Certification Sent to USCA as to Tommy Walker, III regarding the # <a href="#">592</a> Notice of Appeal - Final Judgment. {The clerk sent a copy of this supplemental certification to the pro se defendant at LEWISBURG U.S. PENITENTIARY, Inmate Mail/Parcels, P.O. BOX 1000, LEWISBURG, PA 17837 via regular U.S. Postal Mail}. (rep) (Entered: 02/26/2016)
03/23/2016		TEXT NOTICE by Tommy Walker, III. The Government shall file a response to the <a href="#">591</a> MOTION for Reconsideration re <a href="#">590</a> Order on Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582 on or before April 8, 2016. (jlm) Mailed to deft. (Entered: 03/23/2016)
03/24/2016	<a href="#">595</a>	RESPONSE in Opposition by USA as to Tommy Walker, III re <a href="#">591</a> MOTION for Reconsideration re <a href="#">590</a> Order on Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582, (Brown, Geoffrey) (Entered: 03/24/2016)
05/03/2016	<a href="#">596</a>	ORDER as to Tommy Walker, III granting the <a href="#">591</a> MOTION for Reconsideration to the extend that the Court Vacates the <a href="#">590</a> Order on Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582l. ORDERED that on or before May 23, 2016, the Government shall file a response to the deft's <a href="#">589</a> motion for a reduction of his sentence. The Government shall also take into account defendants substantive arguments in his motion to reconsider (Dkt. No. 591). Signed by Senior Judge Norman A. Mordue on 5/3/16. Copy sent to Circuit and defendant. (jlm) (Entered: 05/03/2016)
05/05/2016	<a href="#">597</a>	RESPONSE in Opposition by USA as to Tommy Walker, III re <a href="#">589</a> MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582, <a href="#">591</a> MOTION for Reconsideration re <a href="#">590</a> Order on Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582, (Brown, Geoffrey) (Entered: 05/05/2016)
05/06/2016	<a href="#">598</a>	Certificate of Service by USA as to Tommy Walker, III re <a href="#">597</a> Response in Opposition, (Brown, Geoffrey) (Entered: 05/06/2016)
05/13/2016	<a href="#">599</a>	REPLY to Response to the # <a href="#">591</a> Motion for Reconsideration regarding the # <a href="#">590</a> Order on Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582 - Amendment 591 filed by Tommy Walker, III, Pro Se. (jmb) (Entered: 05/17/2016)
06/16/2016	<a href="#">600</a>	ORDER OF USCA (certified copy): As to Tommy Walker, III, regarding the # <a href="#">592</a> Notice of Appeal - Final Judgment - Appellant, pro se, moves for leave to proceed in forma pauperis and to recall the mandate in his direct appeal. Upon due consideration, it is hereby ORDERED that the motion for leave to proceed in forma pauperis is GRANTED, the appeal is DISMISSED, and the case is REMANDED for further proceedings. On May 3, 2016, the district court

		granted Appellant's motion for reconsideration of its order denying his 18 U.S.C. § 3582 motion. We construe that order as an indicative ruling. See Fed. R. App. P. 12.1; Fed R. Crim. P. 37(a)(3). The District Court may consider Appellant's § 3582 motion on remand. Any party wishing to appeal the District Court's decision after remand must file a new notice of appeal. The motion to recall the mandate is DENIED. {Certified Copy issued on 6/16/2016}. (rep) (Entered: 06/17/2016)
07/22/2016	<a href="#">601</a>	MANDATE OF USCA: Regarding the # <a href="#">592</a> Notice of Appeal filed by Tommy Walker, III - Appellant, pro se, moves for leave to proceed in forma pauperis and to recall the mandate in his direct appeal. Upon due consideration, it is hereby ORDERED that the motion for leave to proceed in forma pauperis is GRANTED, the appeal is DISMISSED, and the case is REMANDED for further proceedings. On May 3, 2016, the District Court granted Appellant's motion for reconsideration of its order denying his 18 U.S.C. § 3582 motion. We construe that order as an indicative ruling. See Fed. R. App. P. 12.1; Fed R. Crim. P. 37(a)(3). The District Court may consider Appellant's § 3582 motion on remand. Any party wishing to appeal the District Court's decision after remand must file a new notice of appeal. The motion to recall the mandate is DENIED. {Mandate issued July 22, 2016}. (rep) (Entered: 07/22/2016)
07/22/2016		Case Reopened as to Tommy Walker, III. (rep) (Entered: 07/22/2016)
07/27/2016	602	NOTICE OF ATTORNEY APPEARANCE: Geoffrey J.L. Brown appearing for USA as co-counsel with Attorney Richard Southwick <i>Only for 3582 aspects of the case</i> (Brown, Geoffrey) (Entered: 07/27/2016)
09/12/2016	<a href="#">603</a>	ORDER denying deft Walker's <a href="#">589</a> Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582 as to Tommy Walker III (1); and denying the <a href="#">591</a> Motion for Reconsideration as to Tommy Walker III (1). Clerk served deft by regular mail. Signed by Senior Judge Norman A. Mordue on 9/12/16. (jlm) (Entered: 09/12/2016)
09/21/2016	<a href="#">604</a>	NOTICE OF APPEAL by Tommy Walker, III re <a href="#">603</a> Order on Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582 and on Motion for Reconsideration. (sfp, ) (Entered: 09/21/2016)
09/21/2016	<a href="#">605</a>	ELECTRONIC NOTICE AND CERTIFICATION as to Tommy Walker, III sent to US Court of Appeals re <a href="#">604</a> Notice of Appeal (sfp, ) (Entered: 09/21/2016)
10/31/2016	<a href="#">606</a>	MOTION for Leave to Appeal In Forma Pauperis, filed by Tommy Walker, III, Pro Se, with a copy of a letter addressed to the Second Circuit regarding his application to proceed in forma pauperis. (rep) (Entered: 10/31/2016)
11/02/2016	<a href="#">607</a>	NOTICE RE: PENDING MOTION TO PROCEED IN FORMA PAUPERIS: Notice submitted by the Second Circuit Court of Appeals advising that the appeal will not move forward until the District Court determines the # <a href="#">606</a> MOTION for Leave to Appeal In Forma Pauperis. Upon the grant or denial of the motion, the order is to be entered on the docket and transmitted to the Court of Appeals. (rep) (Entered: 11/03/2016)
01/11/2017	608	TEXT ORDER granting <a href="#">606</a> Motion for Leave to Appeal In Forma Pauperis as to Tommy Walker III (1). Endorsed by Senior Judge Norman A. Mordue on 1/11/2017.(Copy served via regular mail). (jlm) (Entered: 01/11/2017)

04/20/2017	<a href="#">609</a>	MANDATE OF USCA: as to Tommy Walker, III regarding the # <a href="#">604</a> Notice of Appeal - Appellant, pro se, moves for leave to proceed in forma pauperis ("IFP"). Upon due consideration, it is hereby ORDERED that the motion is DENIED as unnecessary because the district court granted IFP status. It is further ORDERED that the appeal is DISMISSED because it "lacks an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989); see also Pillay v. INS, 45 F.3d 14, 17 (2d Cir. 1995) (regarding the Court's inherent authority to dismiss an appeal when it lacks an arguable basis in law or in fact). {Mandate issued on April 20, 2017}. (rep) (Entered: 04/21/2017)
09/26/2017		<b>***File Transferred to Federal Records Center;</b> An envelope of partial file of box 7 containing documents 1-53, box 8 containing documents 54-416, box 9 containing documents 417-421, and box 10 containing documents 422-493 and 570 were returned to the Federal Records Center to be re-accessioned under Accession No. 021-06-0057, Box 7-10 of 10, Location G2-4-2-4. The clerk notes that none of the missing documents noted on 2/5/2016 are included with the shipment and that these documents still remain missing. A partial file consisting of documents 439-449 were also returned to the FRC on this date as well. These documents have been returned separately as they are stored under a different accession number at the FRC. These documents are returned under Accession No. 021-98-0241, Box 5 of 9, G35, U26, S1, P6. Documents returned VIA UPS. (rep) (Entered: 09/26/2017)
01/29/2019	<a href="#">610</a>	MOTION SEEKING RETROACTIVE APPLICATION OF THE FAIR SENTENCING ACT IN LIGHT OF THE FIRST STEP ACT OF 2018: Filed by Tommy Walker, III, pro se. (Attachments: # <a href="#">1</a> Exhibits, # <a href="#">2</a> Mailing Envelope)(rep) (Entered: 01/29/2019)
07/01/2019	<a href="#">611</a>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER: As to Tommy Walker, III, pursuant to the First Step Act of 2018. Signed by Chief Judge Glenn T. Suddaby on July 1, 2019. {Copy served via regular mail on the defendant at Devens FMC, PO Box 879, Ayer, MA 01432. Defendant's address is also being updated on the docket from Lewisburg USP to Devens FMC}. (rep) (Main Document 611 replaced on 7/2/2019) (rep, ). (Entered: 07/02/2019)
07/02/2019		CLERK'S CORRECTION OF DOCKET ENTRY: The clerk replaced the # <a href="#">611</a> Order Appointing Public Defender on the docket as the document that was originally uploaded had a technical error that was not showing the Judge's signature once uploaded. A corrected version showing the signature has been uploaded to the docket. (rep) (Entered: 07/02/2019)
07/02/2019	<a href="#">612</a>	NOTICE OF ATTORNEY APPEARANCE: Molly K. Corbett appearing for Tommy Walker, III (Corbett, Molly) (Entered: 07/02/2019)
07/08/2019	<a href="#">613</a>	<b>***STRICKEN FROM THE RECORD BY DKT. NO. 615***</b> MOTION to Amend and for Expedited Consideration filed by Tommy Walker, III. (Attachments: # <a href="#">1</a> Mailing envelope)(meb) Modified on 7/19/2019 (rjb, ). (Entered: 07/11/2019)
07/19/2019	<a href="#">614</a>	Letter from USA requesting direction from the Court as to Tommy Walker, III (Southwick, Richard) (Entered: 07/19/2019)

07/19/2019	615	TEXT ORDER as to Tommy Walker, III: The Court has received a motion from Defendant, acting pro se, for relief under the First Step Act of 2018 <a href="#">613</a> . However, Defendant was appointed pro bono counsel for this purpose pursuant to the First Step Act of 2018 <a href="#">611</a> . Therefore, the pro se motion shall be stricken from the record. Defendant's request for relief pursuant to the First Step Act shall be made through his appointed counsel only, and the Government shall respond accordingly. SO ORDERED by Senior Judge Norman A. Mordue on 7/19/2019.(Copy served via regular mail) (rjb, ) (Entered: 07/19/2019)
09/06/2019	 <a href="#">616</a>	First MOTION to Reduce Sentence <i>pursuant to 404(b) of the First Step Act</i> by Tommy Walker, III. Motion Hearing set for 10/16/2019 10:00 AM in Syracuse before Senior Judge Norman A. Mordue Response to Motion due by 9/30/2019 Reply to Response to Motion due by 10/7/2019. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Exhibit(s), # <a href="#">3</a> Exhibit(s), # <a href="#">4</a> Exhibit(s), # <a href="#">5</a> Exhibit(s))(Corbett, Molly) Modified on 9/9/2019 to set restrictions for Attachment #2 to case participants and public terminals. (kmp) (Entered: 09/06/2019)
09/26/2019	617	NOTICE OF ATTORNEY APPEARANCE: Steven D. Clymer appearing for USA (Clymer, Steven) (Entered: 09/26/2019)
09/26/2019	<a href="#">618</a>	RESPONSE to Motion by USA as to Tommy Walker, III re <a href="#">616</a> First MOTION to Reduce Sentence <i>pursuant to 404(b) of the First Step Act</i> , <a href="#">610</a> MOTION to Reduce Sentence (Clymer, Steven) (Entered: 09/26/2019)
10/07/2019	<a href="#">619</a>	REPLY TO RESPONSE to Motion by Tommy Walker, III re <a href="#">616</a> First MOTION to Reduce Sentence <i>pursuant to 404(b) of the First Step Act</i> (Corbett, Molly) (Entered: 10/07/2019)
10/25/2019	<a href="#">620</a>	MEMORANDUM-DECISION AND ORDER granting # <a href="#">616</a> Defendant Tommy Walker's Motion to Reduce his sentence pursuant to Section 404(b) of the First Step Act; and denying as moot # <a href="#">610</a> Defendant's pro se motion seeking retroactive application of the Fair Sentencing Act in light of the First Step act. Defendant having already served the sentence imposed for Counts 3, 7-9, 17 and 26, Defendant's term of imprisonment on the remaining Counts 1, 10, 11, 12, 16 and 18 is reduced to 340 months on each count to be served concurrently; and Defendant's period of supervised release shall be five years. Signed by Senior Judge Norman A. Mordue on 10/25/19.(lmw) (Entered: 10/25/2019)
10/28/2019	<a href="#">621</a>	AMENDED JUDGMENT as to Tommy Walker, III (1) on Counts 1ss, 2ss, 3ss, 7ss-12ss, 16ss-18ss, and 26ss on the Second Superseding Indictment: a term of 340 months on each of Counts 1ss, 16ss and 18ss; a term of 120 months on Count 3ss; a term of 240 months on each of Counts 7ss, 8ss, 9ss and 17ss; a term of 340 months on each of Counts 10ss, 11ss and 12ss; and a term of 60 months on Count 26ss; all to be served concurrently for a total of 340 months. No sentence imposed on Count 2ss, as it is a lesser included offense of Count 1. Supervised Release 5 years on each of Counts 1ss, 10ss, 11ss, 12ss, 16ss and 18ss; and a term of 3 years on each of Counts 3ss, 7ss, 8ss, 9ss, 17ss and 26s, all to be served concurrently, for a total of 5 years. Special Assessment \$750. No fine. Count 27ss: forfeiture of \$185,000.00. Counts 4ss-6ss and 19ss dismissed on Government motion at trial. Signed by Chief Judge Glenn T. Suddaby on 10/28/19. (lmw) (Entered: 10/28/2019)

10/28/2019	<a href="#">622</a>	AMENDED STATEMENT OF REASONS [LODGED] as to Tommy Walker, III <b>[This document has been electronically lodged with the Court and is viewable by ONLY the attorney for the government, the attorney for the defendant, and the presiding judge. It is not a filed document, therefore is not available for public inspection. Any further distribution or dissemination is prohibited.]</b> (plp, ) (Entered: 10/28/2019)
01/17/2020	<a href="#">623</a>	Supervised Release Jurisdiction transferred to Western District of New York as to Tommy Walker, III (1). Transmitted Transfer of Jurisdiction form, with copies of Second Superseding Indictment, Amended Judgment and Docket Sheet. (lmw) (Entered: 01/17/2020)